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Christmas 1883.

MEMOIR

OF

LORD HATHERLEY

VOL. II.

LONDON: PRINTED BY
SPOTTISWOODE AND CO., NEW-STREET SQUARE
AND PARLIAMENT STREET

ŒTAT 68.

(BY PERMISSION FROM AN ENGRAVING IN "THE ILLUSTRATED LONDON NEWS.")

A MEMOIR

OF THE

RIGHT HON. WILLIAM PAGE WOOD

BARON HATHERLEY

WITH SELECTIONS from his CORRESPONDENCE

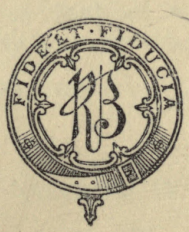
EDITED BY HIS NEPHEW

W. R. W. STEPHENS, M.A.

PREBENDARY OF CHICHESTER AND RECTOR OF WOOLBEDING, SUSSEX
EDITOR OF 'THE LIFE AND LETTERS OF DEAN HOOK' ETC.

IN TWO VOLUMES

VOL. II.



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RICHARD BENTLEY & SON, NEW BURLINGTON STREET
Publishers in Ordinary to Her Majesty the Queen
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Memoir Ch. III
247
251
256
258
311

CONTENTS

OF

THE SECOND VOLUME.

MEMOIR—continued.

CHAPTER III.

PAGE

Entrance into Parliament—Speeches on Jewish Disabilities—On Punishment of Death—On Game Laws—On the Stamford Election—On the 'Ballot'—On Marriage with Deceased Wife's Sister—Made Solicitor-General—Offer of a Judgeship declined—Last Speech in House of Commons—Made a Vice-Chancellor—Lecture on 'Truth and its Counterfeits'—Book on 'Continuity of Holy Scripture'—Made a Lord Justice . 1

Correspondence A.D. 1847 to 1867 80

CHAPTER IV.

Offer of the Lord Chancellorship—His reluctance to accept—The New Ministry—Speech at Fishmongers' Hall—Congratulatory Addresses—Speech on Second Reading of Irish Church Bill—Speech on July 20, 1869—Law Reforms—Appointment of Sir R. P. Collier—Speech in defence of it—Ecclesiastical

PAGE

Judgments—The Purchas and Bennett Cases—Failure of Sight—Resignation of Office—Gradual Retirement from Public Life—Death of Dr. Hook—Death of Lady Hatherley—Illness and Death of Lord Hatherley—Remarks on his Character—Observations of Lord Selborne—Verses by Dean Stanley 171

SONNETS AND OTHER POEMS 285

APPENDIX 314

INDEX 321

MEMOIR.

(*Continued.*)

CHAPTER III.

A.D. 1847—1868.

Entrance into Parliament—Speeches on 'Jewish Disabilities'—On 'Punishment of Death'—On 'Game Laws'—On the 'Stamford Election'—On the 'Ballot'—On 'Marriage with Deceased Wife's Sister'—Made Solicitor-General—Offered a Judgeship, and refuses—Last Speech in House of Commons—Made Vice-Chancellor—Lecture on 'Truth and its Counterfeits'—Book on 'Continuity of Scripture'—Made Lord Justice.

THE circumstances under which Mr. Wood came forward as a candidate for the representation of the city of Oxford have been related in his Autobiography. There were three possible causes of failure: in the first place he was a total stranger to the constituency; in the second place two Liberals had never been returned for that city, and, in the event of a Conservative rival appearing, the contest would probably have been very close; in the third place, although as an advanced Liberal he might hope to receive the support of the more Radical electors, on the other hand his staunch

Churchmanship would probably impair his interests with that section of the constituency.

All these threatening obstacles, however, to success, were happily surmounted. The testimony of friends and acquaintance to his high character and great ability predisposed the electors in his favour before they had seen him, and his perfect candour and courtesy, when he appeared amongst them in Oxford, speedily won for him their confidence and respect.

From the outset he frankly and fully avowed his political and religious principles, maintaining then, as he did ever afterwards, that the most hearty support of Free Trade, of Parliamentary Reform, and of the civil liberty of the subject, independent of religious opinions, was perfectly compatible with the most absolute fidelity to the doctrine and discipline of the Church of England.

In his first written address to the electors, dated April, 30, 1847, he said: 'I am opposed to every fetter upon industry in the shape of protective duties, and desirous of promoting that free intercourse of commodities between ourselves and other countries which I firmly believe will advance the best interests of the farmer, no less than of the manufacturing and trading portion of the community, and which will tend to mitigate, if not to abolish, the horrors of international warfare. . . . Strongly attached on principle to the Church of

England, as a Church and not merely as an establishment, I should be a dissenter from the establishment in Scotland ; I should, if living there, resent any encroachment on my rights as a citizen on account of such dissent ; and for the same reason I am prepared to advocate the right of my dissenting brethren in England to every civil privilege which I myself enjoy.'

On May 15 he met the electors at a densely crowded meeting in the Town Hall. The earnestness and sound good sense which characterised his speech, and the manly straightforwardness and clearness with which he declared his principles, secured for him at once a most cordial and respectful reception. Neither then nor afterwards did he ever make the fatal mistake of committing himself to promises which he might be unable to fulfil. 'A member of Parliament,' he said, 'should enter the House unfettered by pledges ; but the electors must first be satisfied with his principles, and then repose confidence in him in matters of detail.' He exposed the impolicy and absurdity of exacting too minute pledges from a candidate. 'Suppose, for instance,' he said, 'that a Liberal candidate should agree with you in 99 points, and disagree on one, would it be safe or wise to reject him on that one point, that a Conservative might come in and vote against you on the whole hundred?' Yet there were some persons who were disposed to take

the course to which he referred; they adopted one point, and were determined not to give their votes unless this point was conceded; which, reduced to plain terms, was to say: 'A. is not with you on this point, and B. is not with you on any point; therefore reject A. and let in B.'

As for his principles, he was for a straightforward progress in Reform, for a large extension of the suffrage, for vote by ballot, for triennial Parliaments, and for Free Trade with all the world.

Those who first moved in the cause of reform had been called Destructives; 'but in my opinion,' he said, 'no men are greater destructives than those who persist in standing still while everything is urging them to go forward.' He ended a long and spirited address by saying: 'If you are willing to send a second Liberal member to Parliament, if you do not wish to have every vote stultified—one member saying aye, while the other says no—I am ready to stand forth and go to the poll, and if I do not succeed it shall be your fault and not mine.'

Almost to the last moment there were alarms and threatenings of a Conservative opponent coming forward; but he did not appear, and on July 29 Mr. J. H. Langston and Mr. W. P. Wood were announced to have been duly elected as representatives for the city of Oxford.

When he entered Parliament Lord John Russell's Administration had entered on the third year

of its existence. The elections had resulted in the return of a large number of independent Liberals who, like Mr. Wood, were prepared to give the Government a general support, but reserved to themselves complete freedom of action. He himself always disclaimed the designation of Whig. Looking to the history of the party in past generations, he considered that it was little if at all more entitled to greater admiration and respect than the Tories ; and at the time when he entered Parliament, he thought the Whigs were inclined to rest too well contented with the measures of Reform which had been already carried, and to be timid in advancing along the path of progress. As he has related in his Autobiography, he would not consent to take office four years later under the Government until he was assured that they had resolved to introduce a measure for a extensive enlargement of the franchise. He cordially disapproved of all measures which seemed to him to be founded on distrust of the people, as alike impolitic and unjust. He held firmly to the principle that the best way to secure a prosperous, well ordered, and contented population was to redress, as far as possible, all real grievances ; to promote the education, and improve the moral and social condition, of the lower ranks ; and, above all, to increase their responsibility for the government of the country and their interest in it, by giving

them electoral rights. These views he steadily advocated in and out of Parliament, and not the less because the year after he entered it was the year of the Revolution in France, of the Chartist agitation in England, and of great disturbance and much agrarian crime in Ireland. In connexion with the latter country he maintained even then, and advocated in Parliament, the justice and expediency of disestablishing a Church which did not command the sympathy of more than one-seventh of the whole population.

The combination of High Churchmanship with these advanced Liberal opinions in politics was regarded thirty-five years ago as a strange and almost inexplicable anomaly; and the House of Commons was probably rather startled, when the Radical member for Oxford made his first speech in the House in November 1847, to hear from him a warm defence of the Church of England and a plea for the enlargement of the Episcopate.

Mr. Horsman had moved three resolutions calling in question the powers of the Ecclesiastical Commissioners, and asserting in one of them that a sum of 26,000*l.* which had come into their hands, would be applied by them to the benefit of episcopal incomes in a manner not consistent with the intentions of the Act under which they had been established. The assailants of the Church seized the opportunity of hurling an infinite deal

of abuse upon it, and especially upon the bishops. Mr. Wood pointed out, in the first place, that the error lay not with the commissioners, but with the Act, which was defective in its construction. Whatever the intentions of the Legislature might have been, the commissioners could not, as the Act stood, apply the money in question otherwise than in the manner proposed. He thought that the Act ought to undergo revision, not, however, with a view to the appropriation of Church property to any other than Church purposes, but to the relief of existing spiritual destitution. He would not at that time enter into the question whether the 26,000*l.* should be devoted to the creation of new bishoprics, or to the augmentation of poor livings, further than to say that he believed a great need existed in both respects. At that moment there was a diocese extending from the Island of Jersey to London Bridge, and till lately there had been one which reached from the Humber to the Thames; and as to spiritual destitution, if any hon. member doubted the urgent claims of that subject on the consideration of the House, let him walk through the streets in the immediate neighbourhood of the spot where they were sitting, and he would find a population in the most appalling state of ignorance and vice. Not to speak of thousands of children who did not go to any school, there were 40,000 persons out of a

population of 60,000, in the two parishes of St. Margaret's and St. John's, who did not attend any place of worship whatever. Great efforts were being made by the clergy and the faithful laity of the Church in all parts of the country to relieve such spiritual destitution. In the parish in which the House was then sitting, a sum of 20,000*l.* had been lately collected for the supply of additional clergy, to which the Bishop of London had contributed 1,000*l.* In the parish of Leeds his friend Dr. Hook, the vicar, had within the last ten years raised no less a sum than 100,000*l.* for Church purposes. The clergy and laity were by no means satisfied with the present constitution of the Board of Commissioners; he trusted that a reconstruction of it might lead to the acquisition of a much larger surplus fund than 26,000*l.*, which would alleviate the severe demands now made upon voluntary exertion.

These remarks, which were wholly unpremeditated, being mainly provoked by the sharp attacks upon the Church made by Mr. Hume and Mr. Bright, elicited praise from Lord John Russell, and eulogy from that portion of the public press which was friendly to the Church, mingled with astonishment that so good a Churchman should have been returned to represent the Radical electors of the city of Oxford. His constituents, however, never resented his defence of those Church principles which he had candidly told them from the first he

felt himself bound in conscience to uphold. And in the House of Commons the knowledge that he did not speak as the representative of a party whose political interests were supposed to be connected with the support of the Church, but simply and solely on the strength of his own individual sympathies and convictions, lent a peculiar weight to his utterances upon ecclesiastical questions, and secured for them at all times a patient and respectful hearing.

One of the most important questions which occupied the attention of Parliament when it reassembled in February 1848, was the removal of Jewish disabilities. At the late general election, Baron Rothschild had been returned as one of the members for the city of London, but, being a Jew by birth and conviction, was debarred from taking his seat in the House of Commons. Lord John Russell had himself been returned at the head of the poll for the City, and had thus a special motive for promoting the relief of the Jews from their disabilities, which, indeed, he had already advocated. Accordingly in the autumn session of 1847 he had submitted a resolution to the House that 'it is expedient to remove all civil disabilities at present affecting Her Majesty's subjects of the Jewish persuasion, with the like exceptions as are provided for Her Majesty's subjects of the Roman Catholic religion.' This resolution, supported,

amongst others, by Mr. Gladstone and Mr. Disraeli, was passed by a majority of 67, and a bill founded upon it was carried through the House of Commons, but was rejected by the Lords.

It was brought forward again in the following session, and on February 9 the new member for the city of Oxford spoke at considerable length in its favour. He argued the question partly on legal, partly on moral and religious grounds. It was maintained by the adversaries of the bill that Christianity was part and parcel of the law of the land. He denied that it was so in any sense which could be available for argument in the present case. What Christianity was part and parcel of the law? Was it that Christianity which allowed all the members of that House to exercise their religious worship in the mode in which they now practised it? Why, if the honourable member for Oxford University (Sir Robert Inglis, one of the chief opponents of the bill), had lived three hundred years ago in the reign of Henry VIII., he would have been a traitor and a felon. In that monarch's famous Act of the Six Articles, it was declared by the first article that whoever denied transubstantiation was guilty of treason, while the crime of felony was declared to attach to those who denied the truth of the other articles. In that sense Christianity had been part and parcel of the law of England. But that was statute law; and it was

contended that Christianity was part of the common law. No doubt in past ages it was assumed that the whole nation was Christian according to the established form of Christianity; and consistently to maintain the total Christianity of the country in this sense, they must exclude every person who differed from the established religion, not only from public offices, but even from the right of living in the country. The Jews had been expelled from England in the reign of Edward I., and did not return till the time of the Commonwealth. All the laws passed in the interval against heretics were directed, not against Jews, but against persons who, being within the pale of the Church, were regarded as disturbers of the public peace by rebelling in some way against the doctrine or authority of the Church. Even in the last century certain decisions of Lord Hale and Lord Raymond, which had been cited to prove that Christianity was part and parcel of the law, had no bearing on the present question. They were merely directed against persons who had ridiculed and insulted all religion. In truth, from the time that the English people had readmitted the Jews into the country they ceased to have any right to treat them in any other manner than that in which all other citizens and natural-born subjects were treated.

And here the religious argument came in. The first Christian principle was to ‘ do to every man as

we would be done by;' and was it acting in conformity with this principle to say to any people: 'You may come to this country in any number you please, you may bring your wives and children, you may marry with our Christian daughters, you may accumulate as much wealth as you please, and pay as large a proportion of taxes as we think proper to impose upon you, and yet we tell you that you are not worthy to have any voice in the imposition of this taxation.' Other countries had consistently, although much to their own disadvantage, excluded the Jews altogether; the English committed the inconsistency of holding out many inducements to the Jew to settle in this country, and then telling him that he was unfit to be regarded as a fellow citizen. It was a great mistake to imagine that the diffusion of Christianity was facilitated by this exclusion. The fact was the direct reverse. Conversion was not a matter of declaration at that table, it was an affair of the heart. It was a good saying of Lactantius: 'Religio est res præter ceteras voluntaria, nec imponi cuiquam necessitas potest ut velit quid non vult. Potest aliquis forsitan simulare, non potest velle.' This simulation might be obtained by the declaration to which he had referred, but if they wished to reach a Jew's heart they should not put an Act of Parliament between him and them, but place him on a level with themselves.

Ten years, however, had yet to elapse before

the battle on behalf of Jewish rights was won, and the long excluded member for London was at last permitted to take his seat.

Mr. Wood has briefly mentioned in his Autobiography that on July 26, 1850, he and Mr. John Abel Smith conducted Baron Rothschild to the table of the House; but, as the scene was rather a memorable one, it may be well to describe it a little more in detail.

A New Testament being presented to the Baron by the clerk, he said: 'I desire to be sworn on the Old Testament.' He was then requested by the Speaker to withdraw; and, having withdrawn, Sir Robert Inglis proposed a motion 'that from the earliest times of the existence of a Legislature in England no man was ever admitted to take any part therein except under the sanction of a Christian oath, and that the Baron Lionel Nathan de Rothschild having requested to take the oath on the Old Testament, and having in consequence been directed by Mr. Speaker to withdraw while the House deliberated, this House refuses to alter the form of taking the oaths.'

The Attorney-General moved as an amendment that the Baron be heard either by himself or through counsel.

Mr. Wood then spoke. He contended that if the Baron took the oath upon the Old Testament he would thoroughly satisfy the requirements of the law. The question of administering oaths in

Courts of justice to persons who were not Christians had been discussed and settled by Lord Chancellor Hardwicke, the Chief Baron, and the two Chief Justices in the last century. The ordinary form of commission in the Court of Chancery for the examination of witnesses directed that they should 'swear upon the Holy Gospels.' If this were stringently enforced, no person not a Christian could have been examined under the Court of Chancery. For a long time no case occurred. At length the case of a Jew was brought before Lord Hardwicke. He altered the form of the commission, and allowed the Jew to swear upon the Old Testament. In the conference of the judges on the question, Lord Hales's observation was cited, 'that it was a wise rule that a heathen and idolater should be sworn upon what he thinks is the most sacred part of his religion.' And the result of the conference was that the commissioners were directed, in the case of persons who were not Christians, to administer the oath in the most solemn manner according to their discretion. The Chief Justices who concurred in this decision observed that no new oath was created by it. The oath was the same, only to be administered in the way which was most binding upon the conscience of the person who took it. This principle was confirmed by the 1st and 2nd of Victoria, c. 105, which 'declared and enacted that in all cases in which an

oath may lawfully be, and shall have been, administered to any person, either a juryman, witness, or defendant, or on appointment to any office or employment, or on any occasion whatever, such person is bound by the oath administered, provided the same shall have been administered in such form and with such ceremonies as such person may declare binding, and is equally liable to penalties for perjury as if it had been sworn in the usual manner.'

He contended, therefore, that neither by statute law nor by common law was any specific form of oath required; all that was required was that the conscience of the person should be bound; and consequently he had a right to be sworn in the way which he declared to be binding. He could not support the amendment of the Attorney-General, as Baron Rothschild had no desire to be heard through counsel; and, had not the Attorney-General interposed, he should have preferred to move the following: 'That Baron Rothschild, having presented himself in order to take the oaths required by law to be taken by members of that House, and, upon the oath of allegiance being tendered, having required that the same be administered to him on the Old Testament, which he declares to be the mode binding on his conscience, the clerk be directed to administer the said oath accordingly.'

In a leading article which appeared in the

'Times' on the following day it was remarked that 'Mr. W. P. Wood stated Baron Rothschild's case in a manner so clear that it would tax the ingenuity of the most practised counsel to add point or force to his arguments,' and that 'if the view of Mr. Wood be as sound law as it is sound sense, the point would be settled at once.'

The debate was adjourned till the Monday following, July 29, when Mr. Hume proposed the amendment which had been suggested by Mr. Wood, and it was carried by 113 against 59. In the course of this debate Mr. Wood, in enforcing the argument that the value of an oath consists not in its form but in its binding power upon the individual who takes it, quoted a remarkable passage from St. Augustine, Epist. 154: 'If you will not admit the oath of an idolater, there is no adequate method of forming a covenant with him, or of binding him to keep his word, or of preserving the public peace; nor is it forbidden by the law of God to employ for a good purpose the oath of those whose faith consists in swearing by false gods, but who keep the faith which they have pledged.'

The bill, however, was still rejected by the House of Lords; and when, on July 31, Baron Rothschild again presented himself at the table of the House to take the oaths, Sir F. Thesiger moved for a new writ of election for the city of London. Mr. Wood moved as an amendment 'that the seat

is full.' This was his greatest and most exhaustive speech upon the whole question of Jewish disabilities; it lasted two hours, at the close of which he sat down, according to the reports, 'amidst general and continued cheering from all parts of the House;' while the Attorney-General,[1] who followed him, pronounced it to be 'one of the ablest arguments he had ever heard upon any subject.'

He had already, on June 12, moved for a committee to inquire into the administration of oaths, and subsequently, as related in his Autobiography, he introduced a bill for relieving scrupulous persons, not being Quakers or Moravians, from being sworn in Courts of justice, by substituting an affirmation for the oath. This bill was passed twice in the Commons, but thrown out in the House of Lords. He much desired to see the principle of this bill applied to the case of admitting members of Parliament; and had this desire been accomplished, Parliament would have been saved for ever from such deplorable and discreditable wrangles as have lately occurred respecting the admission of a member who cannot conscientiously take the oath.[2]

[1] Sir J. Romilly.

[2] I was not aware of my uncle's views on this subject, or of the measure which he had introduced into Parliament, until after I had written the following letter, which appeared last year in the *Pall Mall Gazette*, and which, as he expressed the most cordial approbation of it, I venture to insert here:—

'Sir,—No doubt any proposal to substitute a simple affirmation,

On March 14, 1848, he spoke and voted against a bill for abolishing punishment by death.

either optional or general, for the oath now required of members elected to Parliament, will be denounced by many as an extremely irreligious and immoral movement. Nevertheless, I would humbly venture to submit a few simple reasons for believing that the interests of morality and religion would best be consulted by the total abolition of all declarations on oath. The natural, logical effect upon the mind of the practice of taking oaths is to create a notion (or at least a feeling) that there are two kinds of truth,—ordinary truth and oath-truth; and that the former is of less importance than the latter: that men are under a sacred obligation to be veracious when they speak on oath, but that they are not under an equal obligation at all times and in all circumstances. So far as such a notion is entertained, it is clear that it must vitiate the conscience. This state of mind was, I think, eminently characteristic of mediæval times. No one can read mediæval history without being struck by the extraordinary and shameless mendacity which prevailed. Yet this disregard for ordinary truth existed side by side with the most exalted ideas respecting the sanctity of oaths. Not, indeed, that the violation of oaths was at all uncommon; but this arose not from a low estimate of the sin of perjury regarded in itself, but rather from the fact that the mediæval system of religion was skilful in devising casuistical contrivances for evading exact obedience to the oath, or means for compounding for the crime of breaking it outright. There was also in those times the notion, which may linger even now amongst the illiterate, that the violation of an oath would be followed by some peculiar, and probably immediate, visitation of the Divine displeasure. Now if a person holding this false and superstitious notion commits perjury, and no evil temporal consequences ensue, his faith in a Divine Being is shaken, perhaps shattered.

'In these two ways I submit that the practice of taking oaths has always had an immoral and irreligious tendency. Why, then, retain it? The man of faith believes that he is under a solemn obligation to speak the truth at all times; he abhors lying in every shape; it is almost an insult to him to ask him to confirm his word by an oath. The man of honour also, whatever his religious opinions may be, will keep his word. The man who has neither faith nor honour will not scruple to break his word, whether he utters it on oath or otherwise. There are few who will not deeply deplore the circumstances which

He expressed the horror with which, from his youth, he had regarded the infliction of capital punishment for offences not attended with violence or bloodshed, and his thankfulness that in such cases it had been abolished; but he proceeded to say that 'having bestowed his best attention on the whole matter from a very early period, having read almost every English publication which treated of it, and a great many works of foreign writers, he must confess that he had come to the conclusion that capital punishment ought not to be abolished for the crime of murder. He would briefly state the grounds upon which he had arrived at this conclusion: It was true that the vindictive element of punishment should be eliminated; but not a single argument had been advanced against the right of the State to protect the lives of its subjects in the most effectual manner; and, while they were not fettered by any theological considerations in adopting the most effectual method of protecting life, he had come to the conclusion that there was no method so effectual as that of capital punishment. It was desirable to

have recently forced this question upon the Government and upon the public; but the antipathy which we may feel towards an individual and the opinions which he maintains (and no one can feel this antipathy more strongly than I do) should surely make us all the more careful to do justice alike to him and to the subject which he has been the unhappy occasion of bringing into prominence.

'W. R. Wood Stephens.

'Woolbeding Rectory, May 3, 1881.'

prevent crime not merely for the sake of the community at large, but also with a view to promoting the moral welfare of the class which was most prone to its commission; and that was a class of persons who, from whatever cause, were not open to any influence but that of terror.

'The revulsion of feeling from the barbarous cruelty of the old sanguinary code which once existed in this country, had induced a somewhat unwholesome tendency to softness and leniency. He should never forget an instance which had recently occurred at Chester, where a young woman who had murdered her father because he opposed her marriage, was recommended to mercy by a reverend prelate of the Church principally on the ground that she had been a Sunday school teacher. This kind of leniency degenerated at times into morbid sympathy with the criminal, which he attributed very much to the evil habit of making notorious criminals the object of so much public attention. When a man was once condemned and removed from the dock, he ought never to be seen or heard of again, except through a certificate from the proper authorities, notifying that the sentence had been duly executed.'

On March 24 in the same year he supported a bill introduced by Mr. Bright for the Abolition of the Game Laws. The House of Commons, consisting as it does largely of men addicted to so-called

sport, has always been very reluctant to hear unpalatable truths upon this subject, and there were loud cries of 'Divide!' when the member for Oxford city rose to speak. But he said that he was determined to be heard, and that if the House was impatient he should move the adjournment of the debate. 'He should vote for the present bill because he did not believe the evils which arose from the Game Laws could be relieved by any palliatives. There was no real remedy short of total abolition. It was vain to try and persuade men that an infraction of the Game Laws was a crime on the same level with ordinary stealing. And why? because the right to treat animals, wild by nature, as private property, could not be established. Nor could the preservation of such animals for the amusement of killing them be defended as a humane practice, in connexion with which he would quote the lines of Wordsworth who bade us—

> 'Never to blend our pleasure or our pride
> With sorrow of the meanest thing that breathes.'

In describing the gradual growth of the Game Laws he quoted from a writer whom he does not name, but designates as an eminent legal authority. 'Another violent alteration of the English Constitution,' says this writer, 'consisted in the depopulation of whole counties for the purpose of the king's royal diversion, and subjecting both them

and all the ancient forests of the kingdom to the unreasonable severities of forest laws imported from the Continent, whereby the slaughter of a beast was made almost as penal as the death of a man. From a similar principle to which, though the forest laws are now mitigated, and by degrees grown entirely obsolete, yet from this root has sprung a bastard slip known by the name of the Game Law, now arrived at and wantoning in its highest vigour, both founded upon the same unreasonable notions of permanent property in wild creatures, and both productive of the same tyranny to the commons; but with this difference, that while the forest laws established only one mighty hunter throughout the land, the Game Laws have raised a little Nimrod in every manor.' 'It was, in fact,' the speaker continued, 'the unfounded notion that property could be created in wild animals which had puzzled the Legislature so much on the subject. It was notorious that before the Act was passed allowing the sale of game, it could be almost openly purchased; and even now, although the slaughter of pheasants was forbidden before October 1, they might be seen on the table at any civic feast on September 29. So much for the respect shown to the law.'

Mr. Wood always maintained that what is technically called 'sport' was the most direct survival of the uncivilised condition of mankind.

That men should hunt in order to live, to obtain food for themselves and their families, was, in a primitive state of society, a necessity or a duty; but that they should live in order to hunt—in other words, that they should in civilised times preserve wild animals which were good for food merely to derive amusement from killing them, still more, that they should preserve a noxious beast like the fox, which had better be exterminated, merely for the pleasure of chasing it—was not defensible on grounds of reason or of justice, or of humanity to the animals.

These arguments have never been answered, because they are in fact unanswerable; but prejudice is often proof against reason, and such arguments will not produce any practical result as long as the prejudices and propensities of the majority in Parliament are enlisted on the side of the evil against which the arguments are directed.[1]

The speech referred to in the Autobiography when he moved for a committee to inquire into the

[1] We are all accustomed to hear it confidently affirmed that the fox enjoys being hunted; but my uncle used to be fond of relating an instance of a man who had fondly persuaded himself that even the timid hare was animated by the same curious sentiment. His brother-in-law, Mr. Moor, a country rector in Suffolk, was talking with a farmer about coursing, and expressed an opinion that it was rather a cruel amusement. 'I don't know, Mr. Moor,' the man replied; 'ye see there's a deal to be said for it: there's the men like it, and the horses like it, and the dogs like it, and'—after a pause—'aye, and I do believe as the ould hare likes it too.'

intimidation exercised by the Marquis of Exeter on the electors of Stamford, was undoubtedly one of his most successful efforts in the House. One passage, full of force and spirit, and concluding with a most felicitous quotation from Virgil, may be cited here as a specimen. 'When a peer of the realm steps out of his proper sphere, and, not content with exercising his own rights and legitimate influence in his own House of Parliament, interferes with elections to the other House, the Commons of England have a right on their side to interfere, and to tell that peer that they will not tolerate such unconstitutional conduct. Let him confine himself to his own House—

illâ se jactet in aulâ,
Non illi imperium pelagi.'

Sir Robert Peel, as stated in the Autobiography, was opposed to the petition for a committee of inquiry, and in his speech misstated a point of law which the mover corrected in his reply. Sir Robert Peel's error was this: He said that the petitioners might obtain redress in the ordinary way through an election petition; but Mr. Wood proved that an election petition was not applicable to the case. The question was not which of two candidates should sit in the House, but whether the marquis or the people of Stamford should elect. By the Act regulating election petitions, a petition

must be presented within three months of the time when the alleged bribery was committed; but in this case the bribery complained of consisted in placing tenants in houses under a condition that they should vote for a particular person; and the consequence was that the bribery had in most instances been committed a year before the election.

Lord John Russell said that having listened most attentively to the speech, which he considered to be 'very temperate in its tone, clear in its statements, and very powerful in its arguments,' he was convinced that the petition must be granted. The committee was formed, as mentioned in the Autobiography, and Mr. Wood made good use of the disclosures made in their report when he spoke in the following August (1848) on behalf of the Ballot Bill, which was opposed by Lord John Russell. 'He had regretted,' he said, 'to hear the noble lord, in speaking of the evil influences of secret voting, ask whether they were to trust this great and irresponsible power to the will and caprice of electors who voted in secret. He considered that the term "caprice" was not one which ought to be applied to those to whom Parliament had entrusted the franchise. The people who were fit to have the franchise ought to be protected in the free exercise of it. At present there was a vast deal of bribery and of intimidation exercised upon voters of the middle class both in towns and in the country.

The committee of inquiry into the case of the borough of Stamford had discovered that one-third of the constituency consisted of tenants of the Marquis of Exeter, and that of these tenants fourteen had been ejected in 1830, and sixteen in 1847, from political motives, while twenty-two out of twenty-seven who had voted for Mr. Rolt in the recent election had been served with notices to quit. The consequence was that the electors asked the House to disfranchise them if freedom in the exercise of their rights was not secured to them. The question, after all, came to this, Did the constituencies deserve to be trusted? If they deserved trust, they also deserved protection in the free exercise of their trust. He would say to the noble lord, let him trust the people of England; let him be straightforward with them; put his whole case before them—have no reserve; let him throw himself upon the whole people of England in the same gallant and hearty style in which he threw himself upon the constituency of London, and he need not fear the overthrow of Government.'

The bill for legalising the marriage of a widower with his deceased wife's sister, was introduced for the first time into Parliament by Mr. Stuart Wortley in 1849. Mr. Wood regarded it from the outset with very great abhorrence, which strengthened, rather than diminished, the more he considered the matter in all its bearings. During

the apprehension which prevailed about 1852, in this country, of hostile designs on the part of the adventurer who then governed France, Mr. Wood was accustomed to say that he would rather hear of 300,000 Frenchmen having landed at Dover than of the passing of this marriage law; for he knew that we should soon get rid of the Frenchmen, but this law once passed, it was impossible to say that we should ever get rid of its consequences. When the bill came on for the second reading in February 1850, he made a long and very powerful speech against it, which was afterwards printed; and, as he never lost an opportunity of opposing the measure both in and out of Parliament, I shall endeavour to collect the arguments which he employed on various occasions, into one focus.

In the House of Commons he dealt with the subject chiefly, as was natural in such a mixed assembly, in its moral and social aspect, although he did not shrink from stating there, as elsewhere, his strong opinion that the marriages proposed were contrary to the revealed law of God. It was constantly asserted that the burden of proving the fitness of the existing law lay upon those who wished to preserve it intact. He, on the contrary, maintained that it was for those who were dissatisfied with it, to prove the unfitness of a law so long established. It was to be observed that in proportion as a nation advanced in its genera

moral tone, the restrictions upon marriage became more positive and decided. And, on the other hand, relaxation of morals had usually been attended by a relaxation of the marriage laws. Thus it was with Rome. First she relaxed the law of divorce, then she gave up some of the prohibitions against particular marriages. At length the Emperor Claudius desired to marry his niece. For some time, Tacitus informs us, he was afraid to bring forward the proposal; at last he was persuaded by parasites, that the objections to it were based on mere antiquated prejudices, and he went down to the Senate and pleaded his cause. The Senate gave way, and the Emperor married the lady, who afterwards poisoned him.

Now, ever since England was England, we had lived and regulated our homes, and formed our relationships, under a law which prohibited marriage with a deceased wife's sister. Had those who wished to alter this law carefully considered the social relations of our English homes, as compared with those of foreign countries? 'I am not one of those,' he said, in his first speech in the House on the subject, 'who think it wise for nations, any more than individuals, to indulge the habit of contemplating their own excellences or the faults of their neighbours; but when questions affecting the basis of our social institutions are urged upon us, and we are told to look to foreign nations as our

example, the comparison is forced upon us.' Now, was any honourable member prepared to say that he had observed a great superiority in the social system of other countries with reference to marriage, or the sanctity of the marriage tie, as contrasted with our own? He must say that his own experience led him to the contrary conclusion. He was told that Massachusetts was a moral country, and that the law there allowed a man to marry his deceased wife's sister. But if that was to be an argument, why not go to Utah for an example, where polygamy was allowed?

The proposed alteration in the law would introduce into every home in England a new rule, and have a most injurious effect upon family life. The custom of England was that a young man and a young woman should not live alone together in the same house if they were capable of intermarrying. At the present time many young women, the sisters of deceased wives, lived with and comforted the husband of their deceased sister, because they knew marriage to be impossible. But if the proposed change in the law were effected, all these women would have to leave their present homes, unless they married their brothers-in-law. And what was the argument used on the other side? It was said that the aunt was the best guardian of a deceased wife's children; so she might be, but making her a step-mother would not make her a better guardian,

and the proposed law would prevent her from being a guardian at all, unless she became a step-mother, and in that case would necessarily deprive the children of her care for a year at least after her sister's death.

The proposed measure was advocated on the ground of a charitable regard for the poor. Its supporters tried to establish a general impression that such marriages were prevalent and generally desired amongst the poor. He had no faith in general impressions, and statistics proved that the impression referred to was absolutely false. 'I have myself,' he said in one of his speeches in the House, 'inquired into the matter in the parish in which we are now sitting. The two parishes of St. Margaret and St. John, Westminster, contain 60,000 persons, of whom 26,000 are of the lowest poor. Now I have made inquiry of persons specially employed by the clergy and others, in visiting the poor, and who have had great experience in the work, and they tell me that they know of only one instance of marriage with a wife's sister amongst the poor of those parishes, and that the man is looked down upon by his neighbours in consequence.'[1]

[1] Thirty-two years have elapsed since this statement was made; but the evidence respecting the poor, especially in Westminster, is precisely to the same effect at the present day. By a curious coincidence, just after reading the above extract my attention was caught by the following letter in the *Guardian* newspaper, dated October 23,

As regarded the Divine law on this subject, in the first place he pointed out that the prohibitions in the eighteenth chapter of Leviticus were general, and not confined to the Jewish people ; for the prohibited unions were declared to be abominable in the sight of God, although formed by the Canaanites, to whom no law had been revealed. Secondly: was the union in question amongst these prohibitions? It was not so in words, neither was that of a man with his own daughter. Marriage with a deceased brother's wife, however, was prohibited, and so was marriage with a step-daughter, both cases of affinity, not of blood relationship; and on this ground, by parity of reasoning, the primitive Church, the Reformed Church of England, and the Gallican Church, had always prohibited marriage with the wife's sister.[1] 'And the prohibition,' he said, 'being once laid down on such a subject, it

1882:—'Sir,—Having had nearly forty years' experience in London, and several years of this period having been spent amongst the poorest of the poor in Westminster proper, I beg to make known that I have never met with a single case of marriage amongst the poor with a deceased wife's sister, and there are few who have seen more of the families of the poor than I have.' The writer then mentions a glaring case of a rich marriage of this kind.

[1] With regard to the disputed interpretation of Leviticus xviii. 18, on which so much stress has been laid by the advocates of the measure in question, he was inclined to think that, on the analogy of other passages, the expression 'a wife to her sister' signified 'one wife to another,' and was, therefore, a prohibition against polygamy, and, *à fortiori*, polygamy with a wife's sister. It was, to say the least, a strange line of interpretation which would construe a special prohibition into an inferential permission.

ought never afterwards to be discussed, because it is a subject of so delicate a nature that the moral instinct should not be shocked. The way that instinct is formed is this: A nation has first a sentiment of revolt against such unions, which is afterwards embodied in a law, and, when once that law has sanctioned the instinct, the question should never be again opened. Even the possibility of doubt is a most perilous state to be in on such a question in regard to our social life. The subject, once settled, should never be tampered with. It is a part of every man's life. It is a portion of every man's creed. The Law and the Church having sanctioned it, it becomes a part of every man's life, and consequently our sister-in-law is our sister, and that is a name and a relationship which, God permitting, we do not intend to lose. She is our sister in every respect. Who that has ever married has not felt that when he has formed a union with the woman of his choice, the atmosphere of love which he experiences in his heart towards her spreads itself out collaterally, and envelopes all who are connected with her in the same way that it does those who are connected with himself? Her relations become his relations. She is blood of his blood, bone of his bone, and flesh of his flesh. All her blood relations are his relations. He welcomes them to his own heart and his home. I asked a gentleman who entertains a strong con-

trary opinion on the subject: "Can you honestly tell me that any man in England treats his sister-in-law in the same way as any other lady of his acquaintance? Is not the relation of sister established in all their intercourse?" He could not deny that it was so. Then I said: "You must destroy that relationship before you give even a thought to the alteration of the law which you propose."'[1]

When Dr. Wiseman was appointed Archbishop of Westminster by Pope Pius IX., in 1850, he issued a declamatory manifesto, in which he made several erroneous statements respecting the spiritual destitution of Westminster, and unjust imputations upon the Dean and Chapter of the Abbey, which Mr. Wood thought proper to correct by the following letter, which appeared in the 'Times' in the month of November in that year:—

DR. WISEMAN AND WESTMINSTER.

November 1850.

Sir,—May I crave the favour of your inserting the following statement of facts with reference to

[1] The authority of Dr. Hook has often been quoted, not to say paraded, as favourable to the proposed change in the law; but on very insufficient grounds. In the only letter of his which I have discovered on the subject, written to Mr. Wood in 1849, and printed in my *Life of Dr. Hook* (p. 436 small edition), he expresses his belief that such unions are forbidden in Scripture, and that all the arguments from expediency were against them. I believe he was subsequently carried away in some measure by the notion, so industriously circulated, that the law was desirable for the sake of the poor, but ultimately returned to his original opinion.

the spiritual condition of the city of Westminster, and the efforts of the real Church of England to improve it, as contrasted with the imaginative declamation of Dr. Wiseman, to whom the Pope has entrusted the charge of such members of the Romish communion as happen to reside amongst us? I have resided for twenty-three years in the city of Westminster, and have no connexion, beyond that of Church communion, with the Dean and Chapter of the Collegiate Church or Abbey, being, in fact, one of the 750 individuals whom the Doctor designates 'as some hundred members of the Bar,' and who have thought it their duty to protest against the resuscitation of antiquated Papal pretensions. It is not, however, my intention on the present occasion to deal with any other portion of Dr. Wiseman's manifesto than the innuendoes contained in its laboured peroration with reference to Westminster.

I will not ask whether that peroration breathes the spirit of 'straightforwardness' and 'charity' claimed as the peculiar characteristics of 'the Appeal;' but I will endeavour to extract from its somewhat verbose phraseology the propositions which it appears to insinuate rather than to state. I take them to be these :—

1. That 'Westminster proper' consists of two very different districts—one of which, Dr. Wiseman says, 'comprises the stately Abbey, with its adja-

cent palaces, and its royal parks;' that to this portion the duties and occupation of the Dean and Chapter are mainly confined; and there, he adds, 'they shall remain undisturbed.'

2. That 'close under the Abbey of Westminster there lie concealed labyrinths of lanes and courts and alleys and slums—nests of ignorance, vice, depravity, and crime, as well as of squalor, wretchedness, and disease—whose atmosphere is typhus, whose ventilation is cholera, in which swarms a huge and almost countless population, in great measure, nominally at least, Catholics,' which he will be glad to visit 'as a blessed pasture.'

3. That 'the existence, in ancient times, of an abbey on any spot, with a large staff of clergy and ample revenues, would have sufficed to create around it a little paradise of comfort, cheerfulness, and ease;' but that now 'the wealth of the Abbey is stagnant and not diffusive, and that the holders of it ought not to be jealous of his making the population his care without interfering with that wealth.'

Now, as to the first proposition, no one will deny the fact of there being two districts in Westminster—one rich and the other poor—not an uncommon case in large cities. But I never before heard that the Dean and Chapter paid any special attention to the 'palaces and parks' to which it is said their occupation is mainly confined.

The second and third propositions, however, are those with which I have to deal seriously, and these are the facts: 'Westminster proper' consists of the two parishes of St. Margaret and St. John, which, for the purposes of poor rate, &c., are united, but, spiritually, are under the charge of separate pastors. By a recent Act of Parliament, the rectories of St. Margaret and St. John are respectively attached to the canonries of Westminster; but a portion of each canonry was, by the same Act, allotted to incumbents of district churches to be formed within the parishes.

The Dean and Chapter have no spiritual charge of the parishes; but they have ever evinced, since I have known them, a most hearty desire to concur with the incumbents in providing for the spiritual instruction, no less than for the temporal wants, of the poorer inhabitants; and these are the results:—

1. *Churches.*—Twenty years ago there were two parish churches and one chapel without cure of souls; and, as regards the edifice, it was a mean brick building in a ruinous condition. There are now, besides the two mother churches—(1) A splendid church which has been raised by contributions, in lieu of the old brick building, and is now the district church of Christchurch. (2) A new district church of St. Mary, built on ground given by the Dean and Chapter, with an adjoining rectory. (3) A new district church at Knightsbridge, built

by contributions. (4) The splendid church of St. Stephen, in Rochester Row, with rectory and schools, built at the sole expense of Miss Burdett-Coutts. (5) There is in progress the church of St. Matthew, in Peter Street, built by contributions. (6) In progress also, a very handsome church near the Vauxhall Road, the whole undertaken by one of the canons of the Abbey at his sole expense. (7) A temporary district church in Palmer's Village, about to be replaced, ere long, by a permanent building. In all, we shall soon have nine churches where we had but three; and of these, five will be in the midst of the very slums to which Dr. Wiseman so graphically refers.

2. *Clergy.*—Twenty years ago we had but six clergymen; we now have twenty hard-working, zealous men, whose week-day labours are incessant in the same slums, excepting, of course, the Kensington incumbent, whose district is an isolated one.

3. *Church Schools.*—Of these we have—(1) The Central National, in the Broad Sanctuary. (2) Central Infant, in Tufton Street, with a girls' school above it. (3) The Free School in Dacre Street, for St. Margaret's. (4) The Free School in the Horseferry Road, for St. John's. (5) The Christchurch District Schools, in Chapel Street. (6) The St. Mary's School, near Vincent Square. (7) The St. Stephen's School, in Rochester Row. (8) The

Palmer's Village School. 9. The Knightsbridge School. I use the word 'school' in the singular, though all of these have a boys' school and girls' school, and some an infant school besides.

I believe I understate the fact when I say there are 2,500 of the poorest children in these schools. But we have, besides, four endowed schools for the poor, all founded since the Reformation of our Church, containing more than 500 children; we have also a large workhouse school.

4. *What have the Dean and Chapter done?*—The Dean and Chapter have, for ten years, contributed at the rate of nearly 8,000*l.* a year to the various spiritual works above stated. And it will be remembered that several of the canonries have, during that time, been suppressed, and their revenues, as we think unjustly, have been diverted to other desolate districts of England. I have already stated that one canon is now building a church, at his sole expense, near Vauxhall Bridge Road. It will cost about 6,000*l.*

5. *The Spiritual Aid Fund.*—This is a fund, originated by one of the present canons, with a donation of 1,000*l.*, augmented, by his personal applications to the wealthy, to 12,000*l.*, and now reaching 20,000*l.* The Dean and Chapter gave 1,000*l.* as a corporation, and many of the canons contributed largely to it. Four curates and the rent of a school are paid out of its income; grants,

to the amount of many hundred pounds, have also been made out of it to schools ; and other applications of it are in contemplation.

Lastly. What have the Romanists done?—It is true, there are many Roman Catholics among us, nearly all Irish, who form the most wretched portion of the poorer inhabitants—I mean of such as are honest. Well, Dr. Wiseman's Church has provided them with one small school for boys, and one other for girls. Fifty of each, I believe, would be the largest number ever found there. The other Dissenters have, together with some Churchmen, established three ragged schools ; and the Independents have one free school, of much larger dimensions than that of the Romanists. But, sir, the matter does not rest here. The miserable condition of the Irish, in temporal as well as spiritual matters, has occasioned our clergy twice to call the attention of some wealthy Romanists to the fact; but they remain as squalid and miserable as ever, in spite of the contributions cheerfully made to their relief by those who differ from them in creed, but regard them as their brethren. I will conclude my too long intrusion on your columns by adverting to the statement that 'in ancient times the existence of the Abbey would have created around it a little paradise of comfort, cheerfulness, and ease.' Why, sir, to the existence of a superstitious observance of our ancestors (yet manifest in the name of the

'Broad Sanctuary') we mainly owe the degraded state of the worst part of our population. Thieves and prostitutes usually frequent the outskirts of all large cities, but the Sanctuary largely increased their numbers. I have an old map in which 'Thieving Lane' figures, where there is now an open, airy space before our hospital. Since the Reformation, the Dean and Chapter have, at a great pecuniary sacrifice, cleared many of the unsightly lanes and streets from which, before the Reformation, their predecessors derived large profits.

But do not imagine that they or I conceive we have done all we ought to do. I, for one, shall not be satisfied till we have twice as many children at school, and have cleared away far more material and moral rubbish from the 'lanes and alleys.' Dr. Wiseman will, I hope, look after his Irish co-religionists. Let him 'provoke us' as much as he can 'to good works.' I do not think a Papal bull will remove the cholera and typhus of which he speaks, but rather, in that respect, trust to the closing of our graveyards and the opening of our new streets; neither do I think that inflated addresses and bitter sarcasm will do much to remove the excitement and violence of which he complains, or to purify the moral atmosphere in which we, of Westminster, reside; but if he will keep within his proper sphere as an ecclesiastic of a foreign communion, I believe he will meet with

nothing but courtesy; and, if he really ameliorates the condition of our poor Irish neighbours with respect, I have no objection to give him any information he may require as to their condition (for he really at present knows nothing of Westminster), and for that purpose I enclose my name and address.—Yours, most respectfully,

A Westminster Layman.

P.S. Dr. Wiseman speaks of his prayers at the shrine of 'St. Edward,' and of his 'paying his entrance fee.' He is probably aware that our Church offers her prayers to God three times every day in the same building, when, if he prefers offering his to 'St. Edward,' he can do so without paying any fee. I would gladly see these payments abolished, notwithstanding the necessity of caution in watching over the building when large parties choose to visit it. Not long since some Roman enthusiasts came in a body on 'St. Edward's' day, and wished to proceed from his tomb to pray at that of Queen Mary, but were deterred by finding that she and Elizabeth repose in the same vault.

Mr. Wood became Solicitor-General in April 1851, as recorded in his Autobiography. The revolution which had so recently occurred in France, made many people in England afraid of further advances in the direction of Parliamentary reform and

extension of the suffrage. The new Solicitor-General drew an exactly opposite conclusion from that event. The ruin of the monarchy in France was, in his judgment, owing to a system of distrust and repression of the people, which had in the end provoked them to demand more than their legitimate rights. In his speech to the electors of Oxford after he had accepted office, he said: 'When you elected me, there was on the throne of France a powerful prince of great natural ability, schooled in the best of all schools, that of adversity and misfortune, who was supposed to possess even a republican simplicity of conduct and taste, but who, unfortunately, did not possess what is requisite for the government of a great nation—an implicit confidence in the people he was governing. If that monarch had reposed the same implicit trust in his people which, happily for us, by our free Constitution, our Sovereign is enabled to repose in her people, he would still have been on the throne of France. But he was unable to divest the government of that peculiar element—the power which it had hitherto exercised of governing every part of the country through the government in Paris. For you are aware that in that country there are no magistrates, such as we have here, to take upon them the public duties of particular localities, no municipal corporations entrusted with the management of towns and boroughs. And this unhappy

monarch had not the wisdom to see that he might have brought forward measures which would have secured such institutions to the country, and thrown himself with confidence upon them. It is a remarkable fact that that people, amounting to thirty millions, had not so large a share in the representation as is enjoyed amongst ourselves by the county constituencies alone, apart from the boroughs. Under that restricted state of the representation his government was overthrown—all government, indeed, was overthrown—and a state of disaster produced which, I fear, has not yet wholly terminated. In consequence of this, a reaction followed throughout Europe; and when I sat in Parliament, I thought I saw symptoms of our Government being influenced by it in the wrong direction. I thought I perceived indications that they had not learned the lesson which ought to have been learned from the events in France. I thought they were afraid of advancing, lest this country should become subject to disturbances like those in France; whereas the lesson I learned from those events was, that the Government of that country had not sufficiently advanced, and that it was because they had not advanced that those disturbances had arisen. It was on this account that I gave my adhesion to the extension of the suffrage, and to the protection of the voter by the operation of the ballot. To those principles and

opinions I still adhere.' He then explained that he would not have consented to take office had he not received a personal assurance from Lord John Russell that the Government had resolved to introduce a bill for the extension of the suffrage. After pointing out that the Irish, in their hostility to the Ecclesiastical Titles Bill, had determined to oppose the Government in everything, and that, by the aid of the Irish vote, the Conservatives had very nearly succeeded in carrying a measure proposed by Mr. Disraeli, which would have reimposed a duty on food, he proceeded: 'But we can, by union amongst ourselves, at least defeat that compact body on the Opposition benches who would oppose all reform and bring back the dear loaf. I am not using the phrase "dear loaf" as a clap-trap. Lord Stanley has told us that he will have nothing to do with the Pope, but that he would take off the income tax. Now this, in itself, is a very good proposal; but what is Lord Stanley's plan for taking it off? He proposes to supply the deficiency which would be thereby occasioned, by putting a duty of 5*s.* a quarter upon corn. The price of corn being 40*s.* a quarter, 5*s.* is one-eighth of that amount, and one-eighth is $12\frac{1}{2}$ per cent. upon the whole price. That is to say, he says he will take 3 per cent. off that which can only be paid by the rich, and he will put $12\frac{1}{2}$ per cent. upon that which must be paid by everybody. In

other words, he would tax the poor consumer of bread 12½ per cent. If that policy were adopted, I can only say it is pretty certain we should have a great struggle at the next general election.'

In conclusion, he said he relied not only upon the integrity and good faith of Lord John to act upon the principles to which he had referred, but upon his common sense. 'I feel a perfect confidence,' he said, 'in his honour; but if I had not in his, I have in my own, and I tell you that if the measure which he introduces does not prove thorough and effectual, I shall be deceived as you are deceived, and there will be an end of my connexion with the Government.'

The work of Solicitor-General during the spring and summer sessions of 1851 was excessively heavy, principally on account of the Ecclesiastical Titles Bill, and he was tempted by an opportunity of retirement which presented itself in the autumn. In the last week of August he received a letter from the Lord Chancellor [Truro] offering him, in the most complimentary terms, one of the Vice-Chancellorships, which had become vacant through the appointment of Sir R. M. Rolfe to be a Lord Justice of Appeal; but stating that he had a letter from Lord John Russell expressing a hope that the Solicitor-General would be content to waive his claim. The letter from Lord John to Lord Truro was as follows:—

'My dear Lord,—Upon thinking over our conversation of yesterday, I feel more and more impressed with the public advantage of retaining in the situation of Solicitor-General a man in whom I repose the utmost confidence, and who can work in harmony, not only with the Attorney-General, but with every member of the Government.

'I think the usual precedents with respect to law offices are well stated in a memorandum of Lord Eldon's, contained in one of the volumes of his "Life" by Twiss. But I do not wish to rest on precedent. I shall feel it an obligation if Page Wood would waive his claim to one of the offices of Vice-Chancellor, though I do not wish to overrule a claim which is in itself so honourably supported by professional and Parliamentry distinction.

'I wish you would communicate with the Solicitor-General, and, if you like, show him this letter.'

On September 12 the Solicitor-General, in a letter to Lord John, after saying that he had seen the Chancellor, proceeds: 'I have to-day received the letter referred to by him, and feel bound to thank your lordship most sincerely for the confidence reposed in me, as regards both my general conduct, and the appointment in question. I have certainly found the sacrifice of domestic comfort to be far greater than I had anticipated on accepting office; and it is with some regret that I see the

opportunity pass by of retirement from its arduous duties to an honourable position in a profession to which I am attached, more especially as I believe much good may be done, and misery averted, by active exertion on the part of an equity judge. But so long as I shall be blessed with health, I trust that my first wish will be to discharge my duty in the post where I may be most useful. I cheerfully, therefore, acquiesce in your lordship's decision, that my services are most required in that office which I now occupy.'

To this Lord John replied :—

'I am very much obliged to you for your note, which confirms the high opinion I already entertained of you.

'It is but fair, on my side, to say that my Reform measures will look towards the extension of the suffrage in existing electoral limits, rather than towards disfranchisement, of which there will be little, if any. Still, I trust it will be a measure which you will consider a large improvement in our representation.'

The Reform Bill, which was introduced in February 1852, did not meet with a very favourable reception. Some were alarmed at it; others dissatisfied with it; but, before it could be debated, the Ministry had been defeated by a rather factious move of Lord Palmerston's in connexion with the Militia Bill, and Lord John Russell resigned after

an Administration of nearly six years, and was succeeded by Lord Derby.

Sir W. P. Wood's prospects of preferment were now, of course, clouded; and Lord John, feeling that he was responsible for this circumstance, kindly wrote the following letter:—

'February 22, 1852.

'My dear Page Wood,—I must express my regret to you that I interfered to prevent your having that quiet and honourable distinction which Lord Truro intended for you. I hope you will forgive me, and that I shall see you run a career of fame and honour for which your abilities and character so well fit you.'

The remainder of the session under the new Administration was remarkably barren of legislation. Parliament was dissolved in the summer, and re-assembled in November. The general election had brought little or no accession of strength to the Government. The Ministry seemed to have no consistent or straightforward policy; their declarations, about Free Trade especially, were vacillating and contradictory. On November 26 Mr. Villiers, member for Wolverhampton, with the view of forcing the Government to commit themselves to some definite statement on this subject, brought forward a resolution to the following effect: 'That, in the opinion of this House, the improved condition

of the country is mainly due to recent commercial legislation, and especially to the Act of 1846; and that this Act was a wise, just, and beneficial measure; and that a further extension of the policy of Free Trade will best enable the country to bear its burdens, and contribute to the prosperity and contentment of the people.'

This resolution was met by an amendment, proposed by Mr. Disraeli: 'That this House acknowledges with satisfaction that the cheapness of provisions occasioned by recent legislation has mainly contributed to improve the condition and increase the comfort of the working classes, and that unrestricted competition having been adopted, after due deliberation, as the principle of our commercial system, this House is of opinion that it is the duty of the Government unreservedly to adhere to it in those measures of financial and administrative reform which, under the circumstances of the country, they may deem it their duty to introduce.'

Lord Palmerston proposed another amendment, which was a compound of Mr. Disraeli's and the original resolution, and which was carried by a large majority.

The Government, representing a party which had always denounced Free Trade as unjust and pernicious, were pinned in a corner, and were clearly anxious to effect a change of front. Their embarrassment in executing this manœuvre 'might

elicit,' as the 'Times' observed, 'according to the different temperament of the observers, a smile, a sigh, or a tear.' In Sir W. P. Wood their shuffling policy had long excited indignation, to which he gave vent in a speech on this occasion; the last as well as one of the longest speeches, and perhaps the most impassioned, which he ever delivered in the House of Commons. He pointed out that if there had been no motion before the House but the resolution moved by the noble lord, the member for Tiverton (Lord Palmerston), containing the essential passage declaring Free Trade to be beneficial to every large interest of the community, then they might well have adopted and voted for that resolution. But the honourable member for Wolverhampton (Mr. Villiers), having preferred to propose a resolution in the shape which he had adopted, declaring the Act of 1846 to be a 'wise, just, and beneficial' measure, and the House being compelled to choose between the two resolutions before it, the necessary consequence was, that every one who rejected the resolution of Mr. Villiers must be taken as recording his opinion that the measure of 1846 was *not* wise, just, or beneficial. If that were the case, by adopting the resolution of the Government, and rejecting that of the member for Wolverhampton, they would only be performing a solemn farce. 'The Chancellor of the Exchequer (Mr. Disraeli) had accepted a resolution—and it

was important to mark this change in the position of the Government—pledging them, not only to adhere to the Free Trade policy of the last few years, but to extend it; in other words, they were called upon to declare it proper to maintain, and even to extend, the policy upon which that measure was based, which Ministers refused to admit to have been either wise, just, or beneficial. He could not conceive any course by which the House would more stultify itself than this. The only argument he had heard against the resolution of the member for Wolverhampton was, that it would be ungentlemanly to press it on the other side. He was not willing to incur censure for ungentlemanly conduct from any man, and least of all from the noble lord, the member for Tiverton, whose urbanity and politeness were acknowledged, not only by every man in that House, but throughout the whole of England. But they could not stand bandying compliments on a serious discussion like the present, when the House was met to consider a great public measure, and he might add in some degree also, owing to the line of conduct pursued by Her Majesty's Ministers, the character of public men. He held it to be of the deepest importance that the Legislature of the country should maintain its high character, not only for ability, but for integrity, and that men high in office should hold an equally high place in the general estimation of

the country. Because, when representative institutions were, as at present, in some peril throughout Europe, if that House failed for one moment to secure the respect of the country at large; if it was held to be a matter of indifference to them whether public men expressed themselves in clear, unambiguous language; if members of the Government, instead of openly and frankly avowing that their convictions had undergone a change, were to attempt to colour and dissemble that change by telling the House that no such thing as a Protectionist party had existed since 1846; that all those magnificent speeches which they had heard from the other side of the House upon the advantages of protected industry; that all those eulogies in the "Morning Herald" which saluted the right honourable gentleman opposite in the morning, and all those paragraphs in the "Standard" which soothed his slumbers in the evening; that all the meetings at Drury Lane, that all the speeches made by the honourable member for Cambridgeshire (Mr. Chowler) meant nothing and were to go for nothing; and the House was now to be told, "We have not changed our opinions in the least; we remain where we were, although we are about to pursue a policy opposite to every principle we ever advocated;"—if this state of things was to prevail, there was, indeed, much danger to the character and reputation of public men.'

'Up to the time that the Government came into power, they had been a great and united party banded together on the subject of Protection; and although they had not brought forward any motion for the reversal of Free Trade policy because their leader was too great a master of Parliamentary tactics to do what was inexpedient, yet all their energies were devoted with great success to obtain such majorities in the House as would render it difficult, if not impossible, for their opponents any longer to carry on the Government. They had a more dexterous mode of attaining this end than by bringing forward motions for the repeal of Free Trade measures; they endeavoured to render every member of the Government, then in office, an object of obloquy and of public censure. And they did this in an ingenious way; for if a member of the Cabinet was in the House of Lords, they attacked him in the House of Commons; and if he was a member of the House of Commons, they brought forward their motions in the other House. Who could forget the attack on the noble lord, the member for Tiverton, and the good policy by which it was commenced when he had no opportunity to answer it? Who could forget the attack on Lord Torrington, the Governor of Ceylon, or that on the Lord-Lieutenant of Ireland, or the threatened attack, only a few days before they came into office, upon the noble earl who then presided

over the Colonial Office? These were their weapons, and they were welcome to them, although he certainly would not have liked to employ them. Was it, however, supposed that the noble lord, the member for Tiverton, or Lord Torrington, or Earl Grey, were the real objects of attack? No! that attack was directed against the Government; and its object was to force them from their position, and to place their opponents in office, that they might then fulfil the promises made to those who had so nobly supported them. But what did they do when they entered office? We had then, almost for the first time in the history of this country, a noble lord taking high office who would not tell the country whether he had any principles at all; while the noble lord, the member for Sussex, told them that the principles of his followers were confidence in Lord Derby. Sir W. P. Wood had heard of men representing principles—had heard of Foxites, who represented the great principles of Mr. Fox—of Pittites, who represented the policy of Mr. Pitt—and of Peelites, who supported the policy of Mr. Peel; but he never before heard of substituting a man for a principle. A man might be the symbol of a principle, but he could not be substituted for it. That, however, had been attempted in the present case, for no principle was submitted to them; they were simply told that the country was to have confidence in Lord Derby. He did not know what

part of the noble lord's history induced his supporters to give him this entire confidence. Was it because he was in 1832 a member of a Reforming Cabinet? Was it the policy of the noble earl when he entered, or when he left, the Cabinet of Sir Robert Peel? If they were to have a veiled prophet, they should at least have some of his oracles; but they had never heard what the noble earl's principles were. As far as could be gathered from his declaration, they were opposed to Free Trade. It was only a few weeks before or after he was invited to take office in 1851, that he declared he had never abandoned the principle of Protection; that if such a notion had gone abroad, it was erroneous; and that he only waited for the moment when he could face his detractors, and say, "Up, guards, and at them!" Again, when he entered office in 1852, he said that, although he was not prepared to carry out his principles to the utmost, he still held them, but that he would appeal to the country and see what it said to them. He did not say that he would reverse the policy of Free Trade, but that he would wait and learn, from the decision of the country, what his own policy was to be. Was ever conduct witnessed more humiliating than this in a man who had undertaken to govern a great country? It amounted to a declaration: "I have no policy of my own; I have no foresight; I do not know what to decide upon; nevertheless, I am con-

tent to take the reins of Government and to accept a policy from the constituencies of England, as soon as they will be kind enough to inform me of their wishes." Talk of democratic principles, indeed! He did not complain, nor ever should, of the noble earl's confidence in the sentiments of the country; but he did say that it was the worst of all democratic principles to make no distinction between the Legislature and the Executive, and not to have an Executive of sufficient manliness, courage, foresight, and vigour, to devise a line of policy and to carry it out; or, if the Legislature were against them, to say, not "I make my bow to the constituency, but I make my bow to office." He was shocked and ashamed when he first heard of this line of conduct; but he had hoped that, after the time for reflection which the recess had afforded, the noble earl would have advised Her Majesty to make an explicit statement in her gracious speech. There had not, however, been the slightest avowal of any principle; but the public mind had been continually misled by one minister saying one thing, and another the reverse. Encouragement was given in all quarters—to the Free Traders in one place, to the Protectionists in another. The farmers were induced to hope that they would have Protection restored, either directly, or through the medium of what was called compensation, which was, in fact, Protection in disguise. Let the House of Commons

at least speak with a clear and definite voice. It was not becoming in that House now to speak with a faltering voice. They were the representatives of a straightforward, truth-loving people. If, therefore, they hesitated to say the measure of 1846 was "wise and just," and if the Government succeeded in carrying a resolution which really meant none of those things, they would be again tampering with the people, with whom they had tampered long enough already. Let them speak out in a manly, honourable, and straightforward manner as became the representatives of the English people, and pronounce that to be "wise, just, and beneficial" which was now acknowledged on all hands to deserve all the three appellations.'

Lord Derby's Government fell in the course of a few weeks, and the Coalition Cabinet was formed under Lord Aberdeen. About the same time one of the Vice-Chancellorships became vacant through the promotion of Sir George Turner to the office of Lord Justice, and Sir W. P. Wood was again offered the option of the Solicitor-Generalship or of the vacant seat on the Bench. There was no great contest now impending in the House in which he deemed himself bound to engage. He felt that he was free to consult his own inclination and convenience, and accordingly selected the judgeship.

The appointment was hailed with a chorus of approbation on the part of the Bar and of the Press,

and of his acquaintances and friends in every rank, though mingled with regret that his services would be lost to the country in Parliament, alike on behalf of the Church, and of advanced Liberal opinions in politics.

The high expectations generally entertained of his judicial capacity were more than verified. His court soon surpassed all others in popularity, both with litigants and counsel. It was the custom for Queen's counsel at the Equity Bar to select the court in which they would habitually practise, and Vice-Chancellor Wood's court was chosen by a large number of first-rate men, who all rose to eminent positions. Amongst them may be named the present Lord Cairns, Mr. Rolt (afterwards Attorney-General and Lord Justice); Mr. Giffard (afterwards Attorney-General and Lord Justice); Mr. James (afterwards Vice-Chancellor and Lord Justice); and Mr. Amphlett (afterwards Baron Amphlett and Lord Justice).

His popularity as a judge was due to a combination of causes. To a profound knowledge of law, and sound judgment in determining the value of evidence and arguments, he united the most invariable patience and courtesy towards counsel. He never interrupted them if he could possibly avoid it, although his quick and clear perception of a case often made it inexpressibly irksome to him to listen to irrelevant or superfluous arguments. A

friend, who was walking home with him one day from his court, remarked on the tedious lengthiness of the speech of a junior counsel, and the unnecessary number of cases which he had cited. 'True,' the Vice-Chancellor replied, 'it was wearisome, for he assumed that I was ignorant of the A B C of the law; but I recollected how I was once snubbed by Leach when I was a junior, and I resolved to hear him out.'

He made it a rule never to look at the papers in any case to be contested before him until it came on for hearing. 'If I did,' he was wont to say, 'I should perhaps be forming a prejudice before I had heard both sides.' Owing to the remarkable confidence placed in his judgment, appeals from his court were rare, and, when made, were generally dismissed. In the 'Solicitors' Journal' for 1865, there is an analysis of the number of appeals from the several Equity Courts during the previous twelve months. The highest number was twenty-nine, and the lowest was seven, the latter being from Vice-Chancellor Wood's court. The journal states that the number of appeals seemed, on the whole, fairly proportioned to the number of cases disposed of in each court, 'with the single exception of Vice-Chancellor Wood, on whose judgments there is undoubtedly placed an amount of reliance unshared by any other living judge.'

This confidence in his judgments, added to the

great respect for his character, heightened the general indignation excited by those criticisms of Lord Campbell's which have been related in the Autobiography and notes, pages 88–94.

He occupied the post of Vice-Chancellor for fifteen years. In 1856 Lord Cranworth, on behalf of the Government, offered him a life peerage, but, for private reasons, he declined the honour. One of the first acts of Lord Cairns after he became Lord Chancellor in March, 1868, was to offer the seat of Lord Justice, which he had himself vacated, to Vice-Chancellor Wood. The appointment was a handsome acknowledgment of his own obligations; for when he himself had been elevated to the Bench, he had said, in his reply to Vice-Chancellor Wood's congratulations, that he felt much assisted in discharging the duties of his new office by having so long practised in the court of a judge whom he regarded 'as a model of judicial excellence.'[1]

Lord Justice Selwyn had been appointed a short time before by Lord Chelmsford; but he insisted on waiving his claim to take the senior place as a mark of respect to the greater age, experience, and high reputation of his new colleague.

[1] The Vice-Chancellor on some occasion remarked in court that, as witnesses in equity cases were examined by means of written questions, equity lawyers were not quite so expert in examining witnesses as common law counsel. Some of the counsel in his court took a little umbrage at this, and begged for some sort of explanation or apology. The incident occasioned a very clever *jeu d'esprit*, which I have printed as an appendix to this chapter. The author is unknown.

The Vice-Chancellor's life during this long period was one of great activity, but also great regularity, and serenity. Every morning he and Lady Wood attended the early service at the Abbey, at a quarter to eight. He always walked to his court at Lincoln's Inn ; and his punctuality was so exact that the precise moment at which he would pass each spot was well known to many who lived along the line of his route. 'Do you think the Vice-Chancellor has passed yet?' said some one who wanted to meet him, to a tradesman. 'Not yet,' was the reply ; 'he will pass this door at precisely twenty-one minutes and a half to ten.'

Such leisure as he had during term-time, was much occupied by sitting on commissions and attending meetings for the National Society, the Society for the Propagation of the Gospel, the Friends of the Clergy, and many other charitable societies. In his vacations, also, he frequently spoke on behalf of these societies in various parts of the country.

In speaking for the Society for the Propagation of the Gospel, he always maintained that it was not only our duty, but our wisdom, as individuals and as a nation, fully and boldly to avow and propagate our religious faith in those countries which had become part of our dominions. He was amongst the first to point out that our neglect of this duty in India, partly owing to apathy,

partly to a sordid fear of injuring our trade, had recoiled on our own heads in the horrors of the Mutiny, which was in a great measure due to the suspicion that we were going to propagate by subtlety the religion which we were afraid of propagating by open, straightforward methods.

In speaking for the National Society, he always exposed and ridiculed what he termed 'the most absurd and monstrous fallacy,' that instruction in definite religious truth was any hindrance to a good secular education. In a speech at Gloucester in 1861, the fiftieth anniversary of that Society, he said: 'I maintain the exact reverse to be the truth. I said it many years ago in the House of Commons, and nobody ventured to contradict it, that religion alone has been the sole source of all the public education in this country. Look at our public schools and endowments, such as those of William of Wykeham, Edward VI., and Queen Elizabeth; look to the Universities, again, and you will find that religion has been the motive power stimulating the mind of all those founders who had undertaken their great and holy task. Look, again, to the education of the people in the present day. The report of the Society informed them that, of the two million children under instruction, there were only 46,000 in schools which had no distinctive religious teaching, and did not make the Bible an essential part of instruction.

This was a proof that religion, and religion alone, had been capable of stirring minds up to this holy work, and giving men that interest in the lambs of Christ which constrained them to teach them. If left to cold secular philosophy, they would never have children really instructed throughout the length and breadth of the land; for man's nature was maimed and imperfect; he had to be educated soundly, intellectually, and physically; but, above all, in his eternal and everlasting part, which should be the end and aim of all education. And religious teaching must be distinctive. It was absurd to speak of a child choosing its religion. Was there any one who did not wish his child to pray? Well, then, the child must be taught to pray; he could not fabricate a prayer out of his own mind. And if he was taught to pray, he must be taught to whom and in whose name to pray; he must, in fact, be taught all the important doctrines of revealed religion, if he was to pray in any intelligible and acceptable mode. If a child grew up to be a man without any distinctive faith, there was but one natural consequence: he sank lower and lower until he reached the bottom of the scale.'

In November 1856 he acceded to a request to give a lecture to the Young Men's Christian Association in Exeter Hall. There were 1,500 members present. The title of the lecture was, 'Truth and its Counterfeits'—a subject which, as

he observed at the outset, 'is in itself inexhaustible; for as Truth embraces all existence, so do her counterfeits everywhere and at all times obtrude upon us their unreal mockery of her beauty. Hypocrisy has been characterised as "the homage paid by vice to virtue," and the thought may be generalised. Virtue is but one modification of truth. The will of the Almighty Creator is the essence of all truth; and the Evil One, who was a liar from the beginning, believes and trembles, sees the loveliness of truth, but hates it, and assumes its garb in order the more effectually to destroy it.'

Rarely has so much philosophy, religion, and sound common sense been compressed into a single lecture. His aim was, in his own words, 'first, to indicate the fundamental distinction between truth and falsehood by tracing each to its true author; secondly, to furnish some rules of ready practical application for detecting the counterfeits of the true; and, thirdly, to illustrate those rules by applying them to several familiar instances.

In the first place, he showed that 'the observation of man, from the earliest ages, led him to conclude that the natural objects around him were not self-existing. He felt, from personal experience, that there was within himself an originating power of thought, of will, of motion; and at the same time, from the like experience, he perceived that there were objects independent of his will,

which, if he opened his eyes, he must see, if he extended his hand he must touch.' Some of these objects were themselves capable of motion and action; others, unless acted upon by some independent power, were motionless and silent. The earliest deductions which, independently of revelation, mankind were wont to make from such observations, were not materialistic, atheistic, or pantheistic, but polytheistic. Men believed that spirit alone had vitality, and, in their ignorance of the one true God, they attributed phenomena to distinct spiritual sources. 'They were unable to reduce all the variety of sights and sounds which surrounded them into one harmonious system, so as to assign it to one author; but they did not commit the absurdity of supposing that a tree, any more than a ship, was a self-developed object, independent of any contrivance or forethought. Their ignorance rendered them humble, but left them superstitious.'

The next step consequent on an advance in knowledge, and the observation of regularity in the succession of certain phenomena, was an atheistic eternisation of matter, upon which he quoted the remarks of Lord Bacon: 'It is an assured truth and a conclusion of experience that a little, or superficial knowledge, of philosophy may incline the mind of man to atheism; but a further proceeding therein doth bring the mind back again

to religion, for in the entrance of philosophy when the several causes which are next unto the senses do offer themselves to the mind of man, if it dwell and stay there it may induce some oblivion of the Highest Cause ; but when a man passeth on further and seeth the dependence of causes and the works of Providence, then, according to the allegory of the poets, he will easily believe that the highest link of nature's chain must needs be tied to the foot of Jupiter's chair.' 'In fact,' said the lecturer, 'a little reflection would suffice to show that no inorganised object can produce any other inorganised object, any more than such latter object can produce itself; for the multiplication of objects is but repeating the difficulty, and cannot help us to the solution.' The only source of active power which we instinctively recognised as being something akin to the only source of power we experienced in ourselves was spirit.

He then pointed out how some, perceiving the absurdity of attributing motive power to inorganised matter, deified matter itself, and held that all which existed was God.

Deus est quodcunque vides, quocunque moveris.

The error of this system of pantheism and its correction were indicated by Newton when he says :—

Deus non est æternitas sed æternus.

'God is not eternity, but eternal.'

Pantheism and atheistic materialism were, in fact, one; for what conceivable difference was there between holding that every material thing exists by continual self-development from all eternity, and holding that Deity develops itself from all eternity in those particular shapes in which we find every material thing?

But if we believed, as Christians do, that a living God was the Author of all things, we were met by the difficulty of the existence of evil; a real difficulty, notwithstanding the possibility of proving that much apparent evil was wholesome and remedial discipline, and notwithstanding the abundant proofs that one God only, and that a God of benevolence, was the Author of all things. Yet, if we were not able to fathom all the depths of this mystery of evil, we were enabled to form some guesses at the truth. We could understand that obedience and worship must approach nearest to perfection when they are the free-will offerings of a reasonable service. Who would exchange the affectionate and watchful love of a wife or child, a brother or friend, for the attachment of a dog or any other unreasoning creature? But if there be a will to obey, there must also be a capacity to disobey. The perfection of the creature is thus advanced by a sense of its own originating power. And whilst those who are blessed with the spirit of love may say, with St. Paul, 'The love of Christ

constraineth me,' yet they at the same time know by happy experience that such 'service is perfect freedom,' for every desire which harmonises with the will of the All-powerful must be effectually and certainly fulfilled. . . . The knowledge and conviction of the action of our will, and of the power to resist, yet loving willingness to yield, is that which forms the happiness of a reasonable being. There arises, then, as it would seem (for one must speak on such subjects with humble reverence), a necessary possibility of the will determining itself to a course of action opposed to the will of God. And here is the origin of evil: and evil is falsehood. The devil is a liar from the beginning. That which is opposed to the will of God must be opposed to the true. The miserable will that chooses anything opposed to its Creator's will is tormented with the impotent desire of that which can never be. It may be permitted to work its own woe whilst it supposes that it is thwarting its Maker's design, but there is no reality or permanence in any of its operations. The evil angel or the evil man can hurt none but himself. True it is that another created spirit, endowed with free-will, may choose to subject himself to the power of evil exerted by the first; that is to say, free-will being once granted, there may be an infinite number of spirits reproducing evil to themselves, and to those who voluntarily subject themselves to like

depraved conditions. But no evil spirit, angelic or human, can violently pluck Christ's sheep out of His hand; they can in no way thwart the counsels of everlasting truth, but are ever thwarted by them; their every wish is frustrated because they desire the impossible; if seemingly accomplished, it is ever controlled and ultimately overruled; and the final result is the chafing of impotent passion, the writhing of the trampled serpent. Coleridge used to illustrate this by imagining the massive hammers of a fulling-mill to be 'endued with rancorous hate towards the cloth, and to fall on it with deadly malice, the only result being to bring forth good cloth at last.'

To proceed to the tests of truth, the lecturer observed that, if falsehood be an opposition to God's will, we may conclude that, as regards the physical world, any hasty law laid down by the intellect, and contradicted by reference to phenomena (the book of God's works), is false because it contradicts His will. In like manner, in the moral world, all that contradicts the law of sympathy, our conceptions of benevolence, justice, and the like, which are as plainly written in the heart of man by the finger of God as the natural appetites are implanted in the bodily frame, is a contradiction of the will of God, and is false. The corruption of man at the fall does not consist in the obliteration of the

knowledge of good and evil, but in the depravation of the will and choice.

> Video meliora proboque,
> Deteriora sequor. . . .

The faculties of our understanding have, no doubt, been impaired by the corruption of the will, for our judgment readily lends itself to our inclinations; but the great doctrine of the necessity of the Atonement, and of our need of spiritual help or grace, the very keystone of our faith, is founded on the irrecoverable depravity of the will, and not on the infirmity of the judgment. Well may we say of our boasted reason at present:—

> Ah! if she lend not arms as well as rules,
> What can she more than tell us we are fools;
> Teach us to mourn our nature, not to mend,
> A sharp accuser, but a helpless friend;
> Or from a judge turn pleader, to persuade
> The choice we make, or justify it made.[1]

. . . To embrace the truth we must not only know it by the understanding, but love it with all the energy of our affections; and, indeed, it is wonderfully fair and lovely, being no less than the reflection of God's countenance and the echo of His voice. But lest we should be won to gaze upon it and listen to that voice, Satan has, in his malice, surrrounded us with counterfeits in order to dazzle, mislead, and confound the judgment.

[1] *Essay on Man*, § ii.

The lecturer then proceeds to lay down six tests of truth.

I. The agreement of a thing with external reality or observation. 'There is a law of the mind by which it is natural to us to arrange and group in systematic form the impressions we receive from without. . . . But our indolence, or impatience, or self-conceit, pervert this instinctive faculty of reducing all observations to order into a hasty habit of generalisation and fantastic theory. This evil habit is a source of frequent counterfeits of truth,' . . . and must be checked by a 'frequent recurrence to observation.'

II. *Permanency and constancy.*—Divine law is constant, not capricious, in its operation.

III. *Consistency.*—Nothing which is true can be opposed to any other truth. If one supposed truth appears inconsistent with any other, we are in error as to one or both.

IV. *Utility, or fruitfulness.*—'Truth,' said Bacon, 'is fruitful—falsehood is barren.' The Divine law proceeds from perfect wisdom, and has a purpose. 'My word shall not return unto me void' holds good in natural as in spiritual things.

V. *Consistency with happiness.*—All that militates against the happiness of any of God's creatures, and especially that of man, violates the Divine law, and is false.

VI. In moral truth, its agreement with the book of God's Word.

Having laid down these tests, he mentions instances of counterfeits to which they may be applied. Thus, in physical science, astrology was from an early period the counterfeit of astronomy, and alchemy of chemistry. In our own time clairvoyance, spirit-rapping, and table-turning were the counterfeits of the science of the imponderable forces—magnetism and electricity. Let some of the tests be applied to these counterfeits. Had the predictions of astrology tallied with external events; had they not so notoriously failed that the volumes of that pseudo science had shrunk into a solitary page of 'Zadkiel's Almanac,' while its professors, instead of occupying the palaces of kings, had to hide themselves in obscure places from the visitations of the police?

Or, apply the test of fruitfulness to any of these counterfeits. Whilst the researches of real science had discovered the mariner's compass, the lightning conductor, and the electric telegraph, what were the fruits of clairvoyance, table-turning, or spirit-rapping? Had there been any truth in such fabled powers, should we have had to wait till now for the discovery of the gold-fields of Australia? Would not the thousands of hearts which beat in an agony of suspense whilst waiting for detailed accounts of the battles of Alma, Balaclava, and Inkerman have been consoled at once by the revelation of the pretended seer? 'Alas! that a country which has

produced a Bacon and a Newton, an age which has known a Davy and a Faraday, should boast of its enlightenment when such miserable trifling has found a ready acceptance.'

The young lover of truth, however, must be warned to apply the tests carefully, especially when the forces in operation were complicated and obscure. In medicine, for instance, he must recollect that the cure of the same disease had been repeatedly attributed, on most respectable testimony, to a vast variety of remedies, so different, if not opposed, that it was difficult to find any common point in the inductive process, except that of the patient's confidence in the favourable result. When pressed with arguments in favour of some pet system—homœopathy, hydropathy, and the like—he generally confessed that, according to his experience, 'everything cured everybody of every disease.' But to the young he would promise that early rising, cleanliness, temperance in food as well as drink, industrious habits, and virtuous conduct, would save them from many a hazardous experiment in medical philosophy.

There were quackeries and counterfeits in many other departments besides medicine. In literature there was the flippant as the counterfeit of wit; and the shallow pretender who, knowing that you cannot see the bottom of a muddy stream, will be obscure in the hope that nonsense will be mistaken

for profundity. He exhorted them to study the great models of our literature—the all but inspired divines, poets, and philosophers of the Elizabethan age; the works of the yet glowing, though more cultivated, genius of the succeeding period of trouble; the sharp, clear, well-defined thought, wit, and humour of the writers who flourished shortly before and in that reign. 'Read,' he said, 'Hooker, Bacon, Shakspeare, Jeremy Taylor, Cudworth, Milton, Barrow, and South, Berkeley and Addison, Dryden and Pope; but above all in the later period, for unexampled clearness of style, read Swift; and you will turn, as I have done, with loathing from the flippancy, cant, presumption, and affectation of many a modern writer of approved reputation.'

Then there were quackeries in politics.

I. There was the paternal system of Government. As regarded material wealth, the notion was happily exploded that a paternal superintendence of Government, dictating the course of industry, restraining exports for fear of famine, and imports from dread of competition, was necessary for the welfare of the State. He trusted the paternal principle would soon be equally abolished in respect to other matters. The force of a State was the resultant of the energies of all its component parts. The proper function, therefore, of a Government was to secure freedom of action for every one alike, only restraining the liberty of

individuals, so far as might be necessary to secure the liberty of all.

II. The despotic system was a yet more hideous counterfeit, based on the monstrous notion that any one man could be found fit to be the vicegerent of his Maker. It had no correspondence with external truth. Algernon Sydney said he would recognise the principle, when a child should be born booted and spurred, and the rest of mankind with saddles on their backs. Should we try despotism by the test of fruitfulness, or of accordance with God's law of happiness? He would leave his hearers to make the application for themselves.

III. Liberty and Equality, what fearful counterfeits had borne those noble names! Fraternity was of more modern date—the last invention of the Evil One, as he beheld in Christian brotherhood how good and joyful a thing it was for brethren to dwell in unity. Absolute and universal equality was in flat contradiction with the constitution of nature. No generation of men ever existed in which there were not simultaneously the strong and the weak, the healthy and the sick. On what principle of natural justice, again, was the idle to be, or how indeed *could* he be, equal to the industrious in wealth, or in the power which wealth conferred? How could the intemperate be equal to the sober? and so on. The counterfeit was, at its best, a brain-sick phantom, at its worst a demoniacal suggestion.

But fraternity!—were we not all brethren? True, indeed, our blessed Master condescended to call us brethren. But brotherhood was not equality. The Christian brotherhood was, like the body, made up of members, diverse in their powers and functions under the guidance of the head. But something more subtle had been devised. Fraternity was said to rest on love; and all society had been wrong for ages in its very framework. Every trade and business, it was said, was carried on in a spirit of selfishness, and in opposition to the spirit of fraternal love; a spirit of competition, not of co-operation. This shocked the theory of socialism.

The best cure for such a fantastic theory was a careful observation of facts. Social fraternity required that no man should compete with his brother—that no one, *e.g.*, in a primitive state of society should try to obtain two oxen whilst his neighbour only gets one. What did this come to? That no man should be more industrious, no man more skilful, than his neighbour. If he was more skilful or more industrious, he was either to sit still till his dull or indolent brother came up to him, or else divide with him the product of his own greater exertions. 'No, my friends,' he said; 'be assured your Catechism is more worth listening to than all this fanciful theory, when it tells you to learn and labour truly to get your own living, and to do your duty in that state of life to which it shall please God to call you.'

Competition was not in itself a sin. The mean attempts of one tradesman to ruin another by misrepresentation and other base tricks were no more necessary parts of competition than false coin was a necessary consequence of the use of money.

Lastly, he considered some counterfeits in religion. The counterfeit of religious liberty was indifference. True religious liberality consisted in allowing every man to hold and to assert his own opinion, so that it was done without offensive violence, which was a civil injury to his neighbour. True liberality was founded on that deep conviction and love of truth which feared no discussion. But indifference did not care for truth. But the moment any point was touched which jarred against the apathy of the pseudo-liberal, he became the bitterest of persecutors. There were many who cared little about controversies of faith, and therefore prided themselves on their liberality. They were fond of quoting the couplet,

> For modes of faith let senseless zealots fight;
> He can't be wrong whose life is in the right;

as if any one's life could be in the right who had not fixed religious principles to guide him, and an earnest faith in them!

'Let not any false notion,' he said, 'of liberality ever seduce you into indifference. Let your liberality consist, not in sinking your own opinions to the dead level of others' indifference, not in

saying or thinking that probably every one may be as right as yourself (for opposite assertions cannot both be true), but in giving, most sincerely, credit to all who differ from you, for intentions as honest as your own.'

As the counterfeit of religious liberality was indifference, so the counterfeit of religious zeal was bigotry and fanaticism, which resulted in the horrors of the Inquisition, the excesses of the Anabaptists of Munster, &c. He concluded by instances of pleasures which were the counterfeits of true happiness, such as indolence and sloth, intemperance and self-indulgence. Such pleasures would not stand the test of God's law—either His natural law of conscience written in our hearts, or the revealed law written in His Word. They were destructive of real happiness. Well might we say to their victims, 'What fruit had you,' even during their miserable enjoyment, 'in those things whereof ye are now ashamed?'

The Word of God, and that alone, answered every condition necessary for happiness. There were schemes for destroying our affections from fear of being subjugated by them; there were others which taught us to doubt of everything because we could not arrive at the knowledge of the absolute and unconditional; there were some who placed happiness in self-complacency; others who conceived all to be vain, except passive resig-

nation to inevitable fate; none that did not recognise the existence and the misery of sin, or a contravention of their rule of philosophy whatever it might be; but none could assuage this misery, or supply the power to overcome the depravity by which, with a full knowledge of the consequences, we yet chose the evil and forsook the good. The law was recognised, the sentence was just. Who should rescue us? Let us say, with St. Paul, 'I thank God, through Jesus Christ our Lord.'

I have made rather copious paraphrases of the contents of this lecture, or extracts from it, because it is not probable that many copies of it are now in existence.

On the other hand, a work which my uncle published eleven years later on the 'Continuity of Holy Scripture' has obtained so wide a circulation that it is unnecessary here to do more than allude to it. It is remarkable that the present Lord Chancellor had conceived and partly executed a very similar work, when his design was anticipated by the publication of Sir W. P. Wood's book. The aim of this work was to exhibit the continuity of Holy Scripture by a complete collation of all the passages in the Old Testament with the references made to them in the New; and to prove that, whereas the authenticity of many books in the Old Testament had been questioned by the modern criticism which assumed the title of 'high,' they

were all stamped with the approval of our Lord and His Apostles. In his preface he expressed a hope that at some future time he might possibly be permitted to 'examine the supposed evidence on which are based some very confident assertions of a self-styled "high criticism." Assuming the learning to be profound and accurate which has collected the materials for many such critical performances, the logic by which conclusions are deduced from those materials is often grievously at fault, and open to the judgment of all who may have been accustomed to sift and weigh evidence.'

This estimate of a certain school of criticism was not made without considerable study of the works which had proceeded from it. The composition of a critical treatise on some of those works was a project which he long and seriously entertained; and it is much to be regretted that, as time went on, he had neither sufficient leisure nor eyesight to execute it.

Correspondence 1847–1867.

To the Rev. W. F. Hook.

An Electioneering Campaign begun.

Oxford: May 10, 1847.

. . . I am now fairly launched in an electioneering venture; not, perhaps, the most pleasant thing to one's own natural tastes, for I feel

mine lie more in the way of peace and quiet, or perhaps I should better say indolence. I am so satisfied of my naturally indolent disposition that, though I am not free from the perils that surround us in any new step, yet I think I should be really more in danger of declining public life from that vice than coveting it from ambition. A way seemed open here, and I have entered on it; if it be closed, then I hope I shall thankfully accept the token of my being free to look rather to a quieter sphere of action in such further portion of my pilgrimage as may be allotted to me. I have, as is usual with all persons who come forward as candidates, met with much hearty good-will and kindness that always wins one's own heart. At present I have no opponent but an ultra-Liberal—a mere man of straw, however. I do not doubt the Conservatives will find a man, but I find that my being a Churchman is known, and stands me in good stead. Parker, the bookseller, announced that I was a good Churchman in the hearing of some of my supporters, and that he did not think there would be any opposition. I delight in this place, and look forward to a nice early walk in the gardens before one's work begins. I have got a capital agent, and ran down one evening (besides my first visit), to organise a committee. To-night I am to appear in public, which I do not much care about; the separate visiting is the worst part

of the matter. I called on Williams to-day, and found him very friendly; he did not allude to my standing, so I did not, but I hear he puffs me amongst the Dons, as an excellent man except in my politics; which is just what I want. You will be amused when I tell you that I saw the leading Radical the other day, a violent anti-Tractarian as he calls himself, and editor of the 'Protestant Journal.' I took the bull by the horns, and stated my Church principles, and that you were my greatest friend. He was rather startled, but by degrees came quite round, and is a staunch supporter, and says he thinks you a sort of 'Demagogue of the Church.' This is a salve, I suppose, to his conscience for supporting me.

To the same.

MEETING AT OXFORD TO NOMINATE THE M.P.

Oxford: May 11, 1847.

. . . I just send a line to say I harangued 1,500 people yesterday, and they were as quiet as possible, except when cheering me, and at the end gave me three loud cheers, and one cheer more. Many of the most respectable tradesmen were there. All this is pleasant. The ultra-Radical candidate was there, and made a very gentlemanly speech, withdrawing himself, and if it had not been for a very ungentlemanly attack on him by one of

my self-constituted supporters (who is a sort of buffoon who amuses the crowd), all would have been very smooth. The said ultra candidate roused a strong feeling (which one always likes to see in English assemblages) by repelling this attack, and things might have gone off badly; but I immediately stepped forward, threw my friend overboard, and expressed my deep regret at any personalities, which I regarded as not only wrong, but sinful, &c.; and when I was proposed as a candidate, not one hand was held up against me. Of course these meetings tell but little, but they are necessary, and a failure there would have been fatal.

To the same.

DISTINCTION BETWEEN LIBERALITY AND INDIFFERENCE IN RELIGION.

Ilfracombe: August 23, 1847.

. . . I am glad that the Dissenters seem to understand me. Langston subscribes to the Wesleyan, Independent, and Baptist schools. My agent looked quite crestfallen when I said I could not do it, and said 'it was thought so liberal of Langston.' Then I had a letter from Sadler (Langston's chairman) in great alarm at hearing of my decision. I said I thought I could make the difference between Liberality and Indifference apparent, and I desired my agent to pick me out

the leading men of each of the persuasions in question, not the ministers. I then sent to the said parties a donation for any distressed members of their body, saying I could not consistently subscribe to teach what I considered erroneous, and pointing out the distinction between Government grants out of taxes raised from all, and voluntary contributions. I had no fears, but was glad of the opportunity of taking a decided step. I enclose the answer of the Baptist, and you will see it was quite understood.

To the same.

ACCESSION OF WEALTH.—PARLIAMENTARY RESPONSIBILITIES.—A SERMON OF MANNING'S.

Bealings: October 11, 1847.

. . . I will at once mention that I am in daily expectation of being summoned to some division of the money accruing to us under the late decision of the House of Lords, and am very desirous of having that matter settled. I find so many small things to be done with it, that, after all, there will not be means, I fear, of any one great object being carried out. There is my school to endow at Hatherley, which will take about 3,000*l.* or more. Then I shall give 1,000*l.* to our parochial fund which Dr. Wordsworth has so ably started and well supported, and then there come very

numerous, but yet pressing, minor cases. But I think perhaps it will be better for myself not to have any one great matter in hand: first, as such a thing would tend to excite vanity; second, it would require more earnest thought and superintendence than I could give to it probably. . . .

. . . . . .

I am beginning to think seriously of my work in Parliament, and have been reading up Blue-books on the Navigation Laws, &c., &c., and earnestly do I pray for a right judgment in all matters, for it is no light duty that I find I have undertaken. I strongly suspect that Peel will be mischievous in Church matters. I am told that he had been President of the Bible Society at Tamworth many years, but did not attend any meeting till this year, when he launched out on the advantages of sinking minor differences, &c., and joining in the common object of diffusing the Scriptures. He has generally some object in every move that he makes; and, coupling this with Sir J. Graham's speeches, I expect we shall have Peel siding with those who oppose any increase of the Episcopate—a measure which I should deprecate also, if it is to be an axiom that a bishop cannot subsist on less than 4,000*l.* a year, or without a contingent seat in the Lords.

Have you read Manning's last volume of sermons? His fifth sermon (on the 'Sins that follow *after* to judgment') seems to insist on auricular

confession, for he says that you can scarcely feel sure of your repentance without it, and that if you do feel sure, it is a stronger proof of your self-deception. It does not appear to me that our Church takes this view of the subject, either in the exhortation on giving notice of Communion, or in the Visitation of the Sick. Assuredly, if I had thought as I now think, I should have made confession, and desired special absolution, after some of the grievous falls of my youth; but I think it a strong thing to assume (as Manning appears to do) that no man can receive any assurance of pardon on which he can safely rely, without such confession. Do God's Word and the teaching of His Spirit go for nothing, because they are often much abused? And cannot a man, by prayer, like David, that he may be enabled to 'try out his reins,' his very inmost thoughts, by the light of God's Word searching 'the inmost parts of the heart' (or belly, as we translate it), place himself in a position to receive the benefit of the General Absolution which the Church provides for us? Our Church seems to reserve the cases of doubt, and of heinous sins, as the subjects of special confession; and though, of course, I am not wishing to doubt of the comfort many may derive from minuter confession, yet I cannot assent to the proposition of its necessity. I should much like, however, to know what you think of this.

To the same.

ENTRANCE INTO PARLIAMENT.—THE JEWISH DISABILITIES BILL.

12 Great George Street: November 22, 1847.

. . . Since I received yours, I have taken the oaths and my seat, and I assure you I feel deeply the responsibility conferred upon me, for the service is one of peril. I pray to be enabled to think as little of myself as possible—for that is the great bane of new members—and to think more of Him, 'whose I am and whom I serve.' Many will think I depart from this principle in voting as I shall do on the Jew Question, but I have a stronger conviction daily of the intended separation of the affairs of Cæsar and of God. I was interested in reading a long letter of Libanius to Theodosius (the Emperor) the other day. Libanius was a heathen, and complains a little of the same impartiality not being adopted as theretofore; but the letter shows throughout that the early Christian Emperors had their chief officers of state, &c., &c., indifferently Pagan or Christian. I think the Papacy has much to answer for in the secularisation of the Church. As to the notion now of our Parliament representing Christianity, I think the sooner the pretence is got rid of the better; nor am I one who regrets that it cannot do so, for I approved

of the Repeal of the Test Acts, and of the Roman Catholic Relief Bill.

God has been pleased to veil the heart of the Jew; but I see not why we should raise up the murky veil of human prejudices and passions between us, and I think we shall have much more hope of reaching his heart when we approach him as fellow citizens, than whilst we treat him as an alien.

To the same.

FIRST SPEECH IN PARLIAMENT.—THE JEW BILL.

Lincoln's Inn: December 20, 1847.

. . . I am glad to get a few spare minutes to answer your very interesting letters, which I find three in number in my pocket (the receptacle of unacknowledged correspondence). First of all, do what you please with the 100*l.* I always leave such matters wholly to your discretion. I was truly rejoiced, my dear old friend, to be able, in my first effort in a new position of responsibility, to express in some sense my gratitude to God for His mercy in placing me and keeping me in His Church, and at the same time, as I most naturally should be led to do, to make honourable mention of the chief instrument by which He has been pleased so to direct my course.[1] I spoke a decidedly extempore speech—a very bad

[1] See *ante*, p. 7.

plan for a beginner—and really had no intention, when I entered the House, of taking part in the debate; but Hume having spoken as he did about getting rid of bishops, and Horsman having attacked the commissioners instead of the Act, which I thought impolitic as well as erroneous, I felt it necessary to speak to explain my vote, which I felt would be against Horsman, though I applauded his object, if he persisted in his form of resolution, and which I also felt might be *with* him, if (as he ultimately did) he changed the form of his resolution, and directed it against the *Act*, and in that case I should want to protest against Hume. I ultimately voted with Horsman on a resolution that 'the Act required reconsideration,' instead of the original resolution 'that the intention of the Act had not been carried out by the commissioners.' Lord John gave me a good puff; and so, though the speech was nothing, it passed off well. I rose four times on the Jew Bill, but eight or ten of our side always rose with me, and, though I might have spoken very late on the second night, I knew it to be bad policy for a new member to address an impatient House. I may have an opportunity, after the recess, on the second reading. I was not satisfied with Gladstone's ground altogether, who put it on the gradual necessity felt for drawing back from a Church Parliament to a Protestant one—then to a

Christian one, &c. I should rest it on broader grounds, and I petitioned for the Jews long since on those grounds. A representative government at least must, I think, in all common fairness admit all to a share in the representation. I felt it the vice of Gladstone's book, when it first came out, that he did not see this, and I remember being struck with his difficulty as to India. Fancy a representative government of India in which 100,000 people would form the class eligible as representatives for 80 millions of persons differing wholly from the creed of their representatives! The early Christian Emperors had Pagans in office, and in the Roman Senate. I think the exclusion from civil privilege on grounds of religious opinion a Papal and corrupt doctrine, religiously one of their manifold confusions of the things of Cæsar and the things of God. Drummond's illustration of the present religious aspect of the House was happy. He compared the Speaker to a lady who said 'she was of no age in particular, but the age of other people,' and said the Speaker, if asked his collective religion, must say, he was of no religion in particular, but of the religion of the rest of the House—yet he voted against the Jews. I thought Alexander Hope's a clever speech, though oddly delivered.

To the same.

THE CHURCH SUPERNATURALLY ASSISTED.

Lincoln's Inn: February 24, 1848.

. . . I suppose you know that the Peel party (led by Lord Lincoln now) have bought the 'Morning Chronicle,' and their article on the Archbishop was not amiss, but there is a dead set by all parties against what *they* call Tractarianism. This will do good in the end; it will rid us of the coxcombs, and increase the earnestness of men who really love the Church for the benefits they find in, and not out of her. What I most fear is the indifferent school, and the want of real faith in our privileges. Only yesterday when I said in the presence of several sensible men, calling themselves Churchmen, but really Conservatives, 'How did the Church first make its way?—Not by political enactments,' they said, 'Oh! you cannot compare the times when there was supernatural assistance.' I replied, 'That is just what I complain of; you rely on Acts of Parliament because you have lost your faith in your own Church.' They seemed quite amazed when I told them I believed we are supernaturally assisted now.

To the same.

ON THE THRONE AND GOVERNMENT SECURITY BILL.[1]

12 Great George Street: April 12, 1848.

. . . I have been fighting a battle for the Constitution against Lord John Russell! I never dreamt of his inventing, or rather adopting, schemes of repressing discussion, which Scott (Lord Eldon) first framed, and Pitt, in Lord Grenville's Opposition, rejected. I made some way in spite of being misunderstood, and then our supporters shrank from it. The late Solicitor-General (Dundas) said to me he hoped I would speak against it; and I did so on Monday, and yesterday gave notice to make the obnoxious clause temporary (which they have knocked under to this day), and to-day I worked at it again, with a full House all calling 'Wood! Wood!' when I arose with others, even from the Opposition benches. I am heartily vexed nevertheless at this, and have the annoyance, too, of factious assistants who want to throw the bill out, which is a proper bill, barring the bad clause. I do not want to create grievances; there are enough already: and I said to-day my 'two years' were meant to give time to treat the disease and not the symptoms.

[1] This bill for the repression of sedition in Ireland was a copy of the Act of 1796, with the addition of a clause about 'open and advised speaking.' It was to this clause that Mr. Wood objected.

To the same.

SUBDIVISION OF LARGE PARISHES.—MARRIAGE WITH A DECEASED WIFE'S SISTER.

12 Great George Street: February 23, 1849.

. . . I have promised to second Lord Ashley's motion (at his particular request) next Thursday, for an address to Her Majesty to appoint a commission to consider the best means of subdividing parishes into divisions not containing more than 4,000 inhabitants. I did not thus engage myself without the sanction of good Churchmen. But I think it best to pull with such men when one can, not only as disarming hostility, but as giving some tone to the debate in a Church sense.

We met a very nice little party at the Talbots' just before Lent—Lord Lyttelton, Lord J. Thynne, and Mr. John Grey and his wife; and in the evening your friend Mr. Cavendish came in. I had a great deal of talk with Mr. Grey, who was very kind and civil. He quite liked the idea of my taking this part in Lord Ashley's motion.

Now what I want you to help me in is to point out any specific facts as to the inconvenience of such large parishes as you have in the north, and any particular benefits which have accrued from your bill, or from any other like division of parishes. If you know any rural cases I should like to have them also.

Tell me also what to guard against in the proposed measure, that I may say something on the subject, for such hints do good. . . . That bill about marrying sisters is a very ugly affair. Stuart Wortley promised me to have a clause to allow clergymen to refuse marrying such couples, but I told him I should still oppose.

To the same.

UNTRUTHFULNESS IN THE ROMAN CHURCH: THE FAULTS AND MERITS OF LUTHER.

12 Great George Street: October 25, 1849.

. . . I am thankful that you have had your mind directed into a new channel by this request of Mr. Grey's. I hope you will be able to point out the very careless manner in which some of the Romish 'Saints' have been selected for canonisation. The weak point of Romanism, especially in the Englishman, will always be its untruthfulness, and the unscrupulous manner in which it suppresses or invents facts for the 'good of the Church.' In truth the Church is their idol, as the Temple was to the Pharisaic Jews, as the letter of the Bible is to the Puritan. If you had time, it would be curious to trace the legends of the miracles of divers saints, resting on no contemporary history. This is a marked distinction between them and the Gospel miracles, which were narrated by eye-

witnesses, and written down and circulated in the lifetime of hundreds (or, as in the case of the loaves, thousands) who could contradict the alleged facts. I saw in some Review, a few years ago, a clever article on Loyola, pointing out the vast difference between the contemporary 'Lives' and the subsequent 'Lives' of that saint in respect of alleged miracles. It always appears to me that there is so fearful a proof of the power of the Father of Lies in the Romish Church, that until the system be abjured I have no patience with those who invite us to be partakers of her sins. She is a Church, no doubt, and has 'a name to live,' but is well nigh dead. I mean spiritually, but not temporally. I have always had a notion that we may some day have a strange combination of infidel, or semi-infidel, antichristian temporal power with the recognised spiritual head of the Roman State; for, though I have never believed the Pope or Bishop of Rome to be Antichrist, I think that city is too remarkably pointed out for us to interpret the prophecies allegorically, and that some power semi-temporal, semi-spiritual (impostor in the latter point) may fix itself there. The singular demonstration in the French Chamber on Montalembert's noble speech (for such it was, and I believe him to be a religious man) looks very like this. No one can believe that the French Chamber is a sincerely religious body, but it may see that the incessant

craving after some mode of setting up French power can be better satisfied in taking the religious direction, and a French Mahomet would be a formidable Antichrist. They seem incapable as yet of truth: all is exaggerated, and a false liberty in politics naturally falls back on despotism for relief from the dreary desolation of anarchy; so false liberty in religion, both there and here, falls back on spiritual despotism as a relief from the dreariness of scepticism. In England we have been blessed with, I firmly believe, true principles of liberty both in State and Church.

But all this you would have written better than myself, only I have been led on by the very interesting subject of your letter. . . . I never doubted Luther's power and clear-sightedness, but his violence disgusts. What a wonderful proof of the Divinity of our Lord that text is, 'He shall neither strive nor cry'! for no human agent has ever been able apparently to do much without it. Luther, too, exaggerated the solifidian[1] view; but perhaps a finer critic might explain away such exaggeration by the example of the Divine Word itself—as where the Lord is made to say, in Jeremiah and elsewhere, that He 'had not required sacrifice,' meaning by comparison.

[1] *i.e.* of dependence on faith alone.

To the same.

ROMISH SAINTS.—WORLDLY DISTRACTIONS.

Bealings: December 26, 1849.

. . . On the whole, I liked the sermons[1] very much, and the only thing I should have omitted would have been the reference to the Quarterly Reviewer's story, from Madame de Sevigné, of St. Vincent de Paul. She was a flippant writer, and there possibly, nay probably, was no foundation whatever for her story. The point to be worked, I think, with regard to Rome is her utter falsehood, showing what a hold the Father of Lies must have on her. The sentimentality of Rome is what attracts our young men; and as extremes meet, or rather a common disease may be evidenced by very opposite symptoms, the adoration of the Virgin and Saints takes the place of the irreverent adoration of our Lord's manhood so prevalent with the Methodists. The exposure of the utter unreality of many of the objects of this sentimentalism, and of the horror which the real saints must feel at receiving such worship, must, I think, do good. Indeed nothing can be more striking in Scripture than the instant rejection of worship (whether δουλεία or λατρεία) by all created beings

[1] By Dr. Hook, entitled the 'Nonentity of Romish Saints and the Inanity of Romish Ordinances.'

(*e.g.* Peter and Cornelius, Paul at Lystra, the Angel in the Revelation), and its acceptance by our Lord, as in the case of Thomas. . . . I do indeed rejoice at your having had such a season of comfort. In the busy turmoil of an active life I have but few such; for it is the character of this age that those who will take any part in active life must be almost given up to it, so great is the competition and striving in all departments of worldly business. I cannot say what a comfort the morning service is in this respect, as a moment of calm repose in the beginning of the day, but, alas! my distractions are great, and my dryness frequently very distressing. Where I find my chief comfort is in this reflection, that God has spared me to a sense of my past horrible sin and folly: had He struck me dead some years ago, I should have been a lost creature. I feel that I am not spared for nothing, that I have not degenerated of late (blessed be His name!); and, though a miserably unprofitable creature, I feel that I have no right to expect to do great things for Him: these are reserved for such as have served Him consistently from their youth up. Enough for me if I may sit in loving adoration of Him in the extreme confines of His courts. I do (thank God! and my heart is really thankful for it) perceive that I have a trust in Him which has been a very present help to me in trouble; and oh! if He but vouchsafe to keep me from temptation I may yet be saved.

I believe I may say from my heart also that I do not care much for the matters of this life. I rather feel that my temptation is indolence, which has been a great cause of my forcing myself (or, rather, following the way opened, for so it was) into public life. I am keenly sensitive for the moment as to praise and blame ; but, unless I am very ignorant of myself, I should be only too glad of any excuse to back out of all active exertion.

[I have not been able to find the first sheet of the next letter ; but it is closely connected with the one which follows upon the Gorham case, and was probably written a short time before it.—Ed.]

. . . Good will come out of this evil, I expect, for even the Dissenters see the shamefulness of such an Appellate Tribunal. Talbot and I attended the meeting of the London Church Union, whose resolutions you will have seen. They were very wild at first, asserting the Church's sole right of judging as derived from Christ. I said, 'No ! She has authority to declare the law, but not to judge. The Queen is over all causes, ecclesiastical as well as civil, within these her dominions supreme.'

We got it altered accordingly. Keble was there, and I had the pleasure of sitting next to him. I never saw him before, and it so happened was obliged to oppose, and did oppose successfully, a

resolution proposed by him, which he took very well. He thought it better to base our work on acknowledged legal ground, and so far was right, but applied it thus. He first cited the Article which declares the Church has authority in matters of faith ; then the canon which declares the Synod to be the Church by representation, and, *ergo*, the Synod is the body which has authority to declare ; but as the Church in the Article is the Church universal, and in the canon the Church of England, I thought our opponents would lay hold of the *non sequitur*, to say nothing of the fact that the canon is not one that is binding on laymen. I should have much preferred (and so would Talbot) a simple petition, without any declaration—an office which it seems to me the London Church Union has no right to arrogate to itself.

After all, it is a want of faith to suppose that the Gorham or any other case can really injure Christ's Church. It is a trial doubtless, but she has had many worse to go through ; and the deep corruptions of Rome are almost forgotten whilst our attention is directed to this one (confessedly most important but) single point.

To the same.

THE GORHAM CASE.[1]

12 Great George Street: March 10, 1850.

. . . I enclose some resolutions which I am about to send to A. T. B. Hope for the London Church Union in lieu of some he brought me here to-day, which are for Convocation. I doubt the expediency of Convocation: I would rather have a good tribunal, and discuss what our doctrine is, than a Convocation which may decide what it ought to be, and none can tell how. I unluckily cannot attend, but I shall talk it over with Talbot, who will probably be there. Hope's resolutions did not notice our bishop's dissent, which I think it both right and wise to do. On the whole, I read the judgment as rather allowing Gorham to escape condemnation than as an approval of his doctrine.

Resolutions.

I. That this committee, in considering the report to Her Majesty of the Judicial Committee of the Privy Council, on the appeal of Gorham *v.* The Bishop of Exeter, desire, in the first instance, to express their grateful satisfaction to their diocesan, at the statement therein contained of his dissent from the report.

[1] In connexion with this letter see one from Dr. Hook, *Life*, p. 444, small edition, and vol. i. p. 273.

II. That, disclaiming all feeling of disrespect towards the members of the Judicial Committee, we conceive it to be the duty of Churchmen to protest against the competency of any tribunal to decide upon what is or is not repugnant to the doctrine of the Church in the appointment of which she has no voice, and the members of which do not necessarily belong to her communion.

III. That it appears to this committee to be subversive, no less of morality than of sound doctrine, to hold that a clergyman, after being required by law publicly to express his 'unfeigned assent and consent to everything in the book of Common Prayer contained,' should be permitted to assert doctrines in direct opposition to those contained in the Catechism and Baptismal services, on the ground that the same doctrines are not as explicitly asserted in the Articles.

IV. That the Catholic doctrine of Regeneration, in and by Baptism, has ever been held by the Church of England; as is plain, not only from her services, but also from the homily wherein Absolution is expressly distinguished from the sacraments of Baptism and the Lord's Supper, because the promise is not therein 'annexed and tied to the visible sign.'

V. That, in order to avoid the error and confusion which may arise from any supposed competency of the Judicial Committee of the Privy

Council to expound the doctrines of the Church, we recommend that every effort be made to secure the early establishment of a competent tribunal, in which the Church may have confidence, to which all matters of doctrine may be referred.

To the same.

REFORM.

April 5, 1850.

I spoke on Hume's motion the other night, glad of an opportunity of expounding my views of the principles of Reform. I had a good hearing, and Lord John, who sat below me when I sat down, said 'A very good speech.' I wish he would break loose from Whiggism, and put himself at the head of a progress party without reserve, which I think he would really like. I do not mean a hand-over-head party, but one that can take the lead out of their hands.

To the same.

ON THE GORHAM CONTROVERSY.

Good Friday, 1850.

. . . Your letter[1] to Sir W. F. came last night, and I quite go with you in the greater part of it. My only fear is whether it be not a little

[1] See *Life of Dr. Hook*, p. 442, small edition, and vol. i. p. 270.

too light in parts for the subject. Remember, those who signed the Resolutions feel deeply, and, if you treat them somewhat lightly, they will be apt to think it indifference to the subject. Neither do I think that you can put the case in reality as high as you do when you urge that the Romish notion, as to the infection of sin, is 'an abandoning the essential meaning' of an Article. The essence is 'the remission of sins;' to say that Baptism does something more, as the Romanists assert, is hardly an abandonment of the essence. I have not altered this, because it makes a considerable part of your argument, but I do not think it would have weight with those whom you impugn. I have qualified the passage in page 11 where you say, 'The creeds of the Church at Rome are not the old Catholic creeds.' They are those creeds, and something more of their own; for, as Hooker says, they hold the foundation, but have built much rubbish on it.

To the same.

MISINTERPRETATIONS OF THE TERM 'REGENERATION.' ERRONEOUS NOTIONS ABOUT CHURCH PROPERTY. NATIONAL EDUCATION.

12 Great George Street: April 14, 1850.

. . . The Gorhamite heresy is, I believe, almost peculiar to the man. Few will say with him that Baptism *nihil operatur* (for such is his

doctrine in effect) in their horror of the *opus operatum*. I have found some quiet Low Church country clergy quite surprised when I have stated that we hold Baptism to confer a new power and principle, to cleanse and invigorate our defiled and soiled soul, to make it rather able to do good, than to convert it; for they have so confined a view, and are so ignorant of all the language even of the Church, that they cannot get over the modern phraseology and the new sense of regeneration. I think this was becoming more generally felt till my Lord of Exeter got us into this scrape.

I said a few words on a motion of Horsman's on Friday, beginning by defending him from an attack on his religious sincerity (which I believe unmerited), but more with the object of stating my regret at his mixing up ecclesiastical revenues with matters referred to a committee on salaries derived from taxation—stating that I saw a growing tendency to confuse the property of the Church with money levied by taxation, whilst the State had never given one farthing of this property to the Church; and that though I did not deny its right to inquire into this, or any other property with a trust attached to it, yet I begged to say it was not public property, for that they only who accepted the ministrations of the Church had an interest in her endowments. All this my friend the 'Times' left out. I was glad that Peel cheered me, for I was not so

sure of his view of endowment. I shall, if I am not detained in Court (for it is a morning sitting), speak on Fox's bill. You said something in its favour in one letter, and it tallies with one of your pamphlets; but, I confess, I should mourn deeply if all our dear Church schools were to be swallowed up (as they would be, for none could compete with the salaries of the rate-paid quarters) by scientific intellect, with the religious master in attendance. I have always held the distinction between *children* whose daily education should be religious in every step, and young *men* whose principles should be firm, and who might safely be left to attend lectures; but the child cannot gather religion by lectures as he does arithmetic.

To the same.

NATIONAL EDUCATION.

April 21, 1850.

. . . I was ready to fire off a speech against Fox's bill the other day, but found it would be an adjourned debate; so, as I had only just come in from Court (it was on a Wednesday), and had not heard Roebuck who spoke for it, I postponed my observations. I want to expose the great fallacy of the day that 'Dogmas,' as they are pleased to call them, stand in the way of education. It is the sort of nonsense that the —— and other literary

papers get up. I never heard of a child who lost a chance of education by the exclusiveness of any school. In fact, the bulk of the people would not object to their children being Mahometans. I think I can affirm that religion alone has ever taught the children of the poor. I had some good statistics to show what the Church is doing, and that the stimulus given by the Government grant met no check, till the pedantry of the Privy Council, with its cut and dry clauses, interfered. The children rose from 500,000 to 900,000 in Church schools alone in ten years.

To the same.

RELATIONS BETWEEN CHURCH AND STATE.—A PLAN FOR THE APPOINTMENT OF BISHOPS SUGGESTED.

Bealings: October 23, 1850.

. . . I am glad the Pope has made the move about his hierarchy; it will open people's eyes, and I think they will find it a blunder, though their worldly wisdom is greater than ours, and helped, I verily believe, by the ruler of the darkness of this world.

I do not quite like your plan. In the first place it is new, which is always an objection, and I think a sound one, to great political movements, because they want the authority and respect which is always paid to constitutional forms.

There is no doubt that the repeal of the Test and Corporation Acts, and the Roman Catholic Emancipation, should have been accompanied with an adaptation of the existing forms of the Church and State alliance to the vast change then effected in the future administration of government. I am not a whit less confident of the wisdom of that change; but the Reform Bill, and a vastly increased weight of public opinion, was an obvious result, and it might have been well to have set our house more completely in order at the first, as regards the position of the Church.

As regards the Roman Catholics, I feel that we can deal with them much more freely since we have removed all shadow of a grievance with regard to their civil position, and, so far, do not much regret the want of arrangements with reference to their connexion with a foreign Power, which might have been made when the Emancipation Act passed. But, with reference to our own Church, it ought to have been seen that the weight of public opinion (as to the effect of which by a political check I agree with you) would be brought so strongly to bear on the Bench of Bishops, that it would be impossible for the old high and dry political partisans to stand their ground, and that the only chance of preserving a union of Church and State would be to bring the Episcopal Bench into harmony with the strong

religious feeling of the English people (thanks be to God, yet existing!), and their traditional love of the Church as the organ of that feeling. No one can doubt that, *cæteris paribus*, a Churchman is even to this day more likely to succeed than a Dissenter in evangelising the people. If, then, we had a Bench of Bishops distinguished for their piety and active benevolence, and also well acquainted with the management of public business as evinced in their management of a parish before they are promoted to the Bench, we should be winning back the thousands who are now accustomed to look on the Bench as men merely raised for their subservience to the Government of the day, and objects of envy from their position as Lords.

Two things appear to me to be necessary :—

I. To augment their number, so as to give them leisure to exercise spiritual jurisdiction as friends and fathers of the clergy, and not merely in the offensive mode of police superintendents.

II. To effect a better selection. The first object I think will be gradually achieved. I was very glad to see the announcement in the 'Globe' as to the Winchester diocese. The second is that to which your letter to West refers.

Now we have had a commission on two occasions, and in the time of William it did not, I believe, on the whole, work amiss; but, even if it did, a constitutional form is a great point. Why

not, then, have a commission with a certain number of Government officers and a certain number of bishops upon it, say three of each class; as, for instance, the Prime Minister, the Home Secretary, and the President of the Council, and the Archbishop of Canterbury, and two bishops to be named by the Crown, and that no bishop should be appointed without the sanction of this Board? He might be named by the Crown (*i.e.* the Premier), but approved by the Board, and I think the whole Board should be required (as such) to certify to the Queen their opinion of the fitness of A. B. to be bishop. They would keep their deliberations to themselves, for a division of opinion ought not to be known. The bishops, if disgusted, might resign their places on the Board; the Archbishop would, in a flagrant case, easily be able to protect himself. I do not insist on this as a well-digested scheme, but *something* of this kind I have long thought desirable.

The real difficulty, after all, is not in schemes, but in men. We want a school of statesmen trained to a real Church feeling, with the practical good sense of Englishmen. God alone can give us this, and it is a thing to be prayed for. Our leading men are religious, but have been bred up with a notion that the Church is an interfering body to be kept in check.

I feel my own utter weakness more, I assure

you, than words can tell, but this has been my main object in fighting the Jew question. I want to persuade men that a Churchman can go *every* length as to civil liberty. You were absent during my Jew fight to which Langston alludes, and which has been perhaps my most successful effort personally, having attained the high distinction of 'the honourable gentleman sat down amid loud and continued cheering from all parts of the House,' in one of my speeches, and that a speech for two hours on a dry law point; and I cannot tell you how I long on such occasions to be a better Christian, for I feel, with Chief Justice Hale, that the putting of oneself forward as a Churchman, and assuming so open a profession of Christianity, is but likely in the end to bring discredit on my profession, and on my Master, by some wretched fall of my own. I do always pray before I make speeches of this sort, and that is my only comfort.

To the same.

ON CARDINAL WISEMAN AND THE PAPAL AGGRESSION.

Lincoln's Inn: November 22, 1850.

. . . I have, in to-day's 'Times,' stated the case of the Dean and Chapter *v.* Wiseman under the signature of 'A Westminster Layman.'[1] His impudence is beyond all parallel. There never

[1] See *ante*, p. 33.

was a place so shamefully neglected by the Romanists as Westminster. Had I condescended to personalities I could have said much more. My letter was written at intervals of attending Court, and I made one sad omission of the Pye Street School.

We had a pleasant dinner at Talbot's this week. Dr. Wordsworth and his wife, and Ernest Hawkins and young Spring-Rice, formed our party, and I think Wordsworth's whole tone admirable. He preached a splendid sermon at St. Margaret's on Sunday last for our Blue Coat School founded in 1688. Wiseman's paper will work with the ill-informed: it was on this account I wrote my letter to the 'Times,' for I heard a man say, 'His case is very strong against the Dean and Chapter.' His audacious lying also has its effect, such as the statement that the Queen's nomination gives a bishop spiritual jurisdiction. On their strongest point, 'Toleration,' my view is this—1. If you have an Establishment at all, you cannot permit the titles of its offices to be assumed by others, with or without an alleged foreign authority. You could not allow persons to call themselves dukes or marquises, and to be received as such in society, if you wish to maintain a House of Lords—a Duke of Woburn, or Blenheim, for instance. 2. The assumption by a foreign authority to confer any jurisdiction connected with

territory, and unlimited as to persons, is a political grievance as regards the conduct of the foreigner, and it is a political offence to assume such jurisdiction under such grant. 3. The Papal assumption must necessarily be received in connexion with former Papal acts, and it is therefore a clear attempt to revive antiquated claims which extended to an alleged right to depose the Sovereign, and absolve her subjects from their allegiance. 4. Any insult to one religious body by another may lawfully be repressed without breach, or rather in pursuance of, the principle of toleration; and the mockery of the titles of its religious offices, and a claim of jurisdiction on the ground that they are usurpers, is such an insult. There, of course, are low grounds founded on the political bearing of the case, and on principles which I think all but Romanists would admit. Sir R. Peel most foolishly, I think, broke in on the first principle when he allowed rank and precedence to the Roman Catholic Irish bishops, and the Whigs have since acted on it. The answer to all Wiseman's fallacies is to be found in one of the very cases he quotes in his support. He says that the Canadian Legislature recognised a Roman Catholic Bishop of Toronto (the only place in his whole letter in which 'Roman Catholic' occurs). Had the Pope styled him Roman Catholic Archbishop of Westminster, though still offensive,

three-fourths of the offence would be removed. It is most unfortunate that the word 'Catholic' has been allowed to be appropriated by the Romanists, and there never was a stronger instance of the effect of mere words. I believe that fact alone has deterred many a simple-minded person from catholic truth and catholic action. The equally foolish abnegation of the word 'Protestant' by Romanisers has done nearly as much mischief. Thankful indeed may we be that we retain our Creeds; and I do not wish for a Convocation as a legislative body, though I should be glad to see the concession of a really Ecclesiastical Court of Appeal.

To the same.

NATIONAL EDUCATION.

Lincoln's Inn: December 5, 1850.

. . . I assure you I am not insensible to all the perils of the Education question. I think of it morning, noon, and night, as the great question of our future welfare; but the more I do so, the more I regret your having helped on in some degree the separate system.[1] I have tried in all ways to stir the Church to another effort. I long since volunteered a gift of 1,000*l.* if ten more would do the same, or any sum in the like fashion. I have

[1] By his pamphlet on 'National Education.' See *Life*, p. 403, small edition.

been pressing on the National Society to call a meeting to make use of this present Protestant fever by testing people's sincerity, when they might give for very shame. I find great apathy, but am not yet convinced the thing is impossible. With Mathison's effort[1] he added 400,000 children to our schools. I see no difficulty in following out the present scheme of grants except the clamour of Dissenters, and the Government anxiety to be always changing plans to meet them. This is where I think you did harm; namely, in enabling the Government to quote you. I say, if 400,000 children have been added in ten years to Church schools alone, and 1,300,000 are now in the schools of the Church, there is nothing to prevent another million being speedily added, when you would have about one-eighth of the population in Church schools, besides all the schools of the wealthy, and those of the Dissenting poor. You would soon get to one-seventh, and I believe one-sixth is the most required for the education of all.

Cobden is, in my belief, quite honest; but no agitators are very scrupulous as to *means*, and he will join any party which will help his *main* point —education; though he would, I believe, *prefer* religious education.

I believe the Prussian and French schools have

[1] Gilbert Mathison, Esq., a very able and zealous member of the National Society.

done absolute mischief, and that no education is better than education without religion—'light without love;' nor do I think any but the person who has charge of the school can educate. Others may teach religion, but that is not religious education.

To the same.

ON ACCEPTING THE OFFICE OF SOLICITOR-GENERAL.

Lincoln's Inn: March 27, 1851.

. . . Just a line to say I am Solicitor-General as soon as the office is vacant (I believe to-morrow). Lord John very handsomely said: 'I hope, after my declaration as to the suffrage, you can accept the office.' I told him I would not otherwise have done so. God grant that it may be for good to me, a poor sinner, to be thus placed in a more responsible position! I have not sought it, but pray for me. I have given my 1,000*l.* to Palmer's Village Church, Westminster; and I am sure you will not grudge it when I tell you poor Mr. James (the incumbent) was in despair, having only 700*l.* I thought, if he could say he would have 1,000*l.* provided, 4,000*l.* could be raised in a given time, and lo! in a fortnight it was done, and he is overjoyed. It is a wretched district.

To the same.

THE WHIG PARTY.—LORD JOHN RUSSELL.—THE FALLACIES OF THE SOCIALISTS.—DOUBTFUL EXPEDIENCY OF A LAY DIACONATE.

Earley Court, Reading: October 20, 1851.

. . . I quite agree with you in your observations on the Whig party—there is so much to excuse it, and it is an amiable error, that those who were so long excluded from all political influence should cling together, and hold to the traditional principles which united their fathers. At the same time, till Brooks's Club is at an end there will be a narrowing of view, and a tendency to travel by the coach whilst the engine rattles by them. The Conservatives have flung aside all Tory recollections, and Peel had a heart as well as a head which enabled him to break through party ties. God always raises up men at the right time; but, humanly speaking, I see very few men on either side of the House adapted to the times, and capable of forming a strong Government. Lord Palmerston is in this sense the most Liberal man we have; but I am sure, if you knew Lord John, you would be enchanted with him; he is thoroughly frank, and really very tender. Hayter told me that during Lady John's illness he was constantly in tears when he spoke of her. Some of the stories, too, that

Bennett told in his pamphlet were very favourable to his warmth of character. With these qualifications he unites an imperturbable temper which renders him much the fittest man at present to 'lead the House.' Graham is a very different man in all respects; he is very clever, but not a genius, and extremely ambitious. I wish we could have Sidney Herbert and Cardwell with us as men of business. Looking to our own independent side of the House, there is very little that promises in an administrative capacity.

I am sorry to see symptoms, in your letter, of your not being yet cured of the Socialist fallacy. It is the old fraternity doctrine of the French Revolution. Selfishness is attributed to the ordinary springs of action which God has provided for mankind—viz. self-preservation; and it is absurdly supposed that you will get rid of selfishness by what they call co-operation. Now suppose you have co-operative tailors in group A, will there not be group B of co-operative tailors, and will not groups A and B compete? or are all the tailors to be one joint-stock company, all the bakers another ditto? will there be an idle tailor in the society, or are they to be so virtuous as to work each to the full extent of his powers? If not, then the industrious will soon think it rather contrary to nature to bestow on his idle fellow-labourer an equal share of profit, and will prefer maintaining his own wife

and family in additional comfort. Your argument from the frauds of trade is only the old story of arguing against a principle from its abuse. Remember, too, that your informants are usually unsuccessful men, who would rather find fault with anything than their own capacity. Do you not believe that there are hundreds of barristers who have succeeded without hugging attorneys; of clergy who have been promoted, like yourself, only from merit; and of bankers, merchants, shopkeepers who secure a trade by industry and integrity, always producing the best article, and never passing off an inferior one? I believe that God has intended that a man should maintain, first himself and his family, and then those who are brought 'near to him' as his neighbours. If a man can make a pair of shoes much better than his neighbour, I have not the least notion that he is bound to take as his partner the neighbouring bungler who never fits his customer, in order that he may 'co-operate,' instead of competing, with him. I look on Kingsley as the forerunner of a Jacobin persecution, if we are not able, by God's blessing, to ward off the blow by timely instruction of our people. There is no such ferocious monster as the co-operative fraternal club, who cordially hate every one that is richer than their fraternity, and, when they have slain the capitalist, find that the golden eggs have vanished.

I am much interested with your clerical meeting.

I doubt whether deacons with secular employment will answer. The scandals, I fear, would be frequent (as among Methodists) of fraudulent tradesmen, and the temptation to serve God and Mammon too great. An early experience appears to have led to the necessity of a separation of the worldly and the ecclesiastical calling. When Christianity did battle against Paganism, and the constant liability to martyrdom afforded a test of the sincerity of those who placed themselves in the first rank as teachers, there was not the same liability to the scandals I have adverted to.

To the same.

A Birthday Retrospect.—Death of Basil Montagu.

November 29, 1851.

. . . I am fifty to-day! My dear old man, how time has crept upon us! It is a sorry vista for me to look back upon; but my twenty-two years of married life have, I trust, been not only far happier, but far better (bad and useless as I am), than those which preceded them. The very blessings I enjoy, I willingly look upon as tokens of God's pardoning love. . . . Yesterday we heard of old Basil Montagu's death, and to-day came a touching note from his widow enclosing one from him written in 1845, to be given to me after his death, begging me to join with others in befriending his widow. I am sure we should do so for her own sake, for she

has shown herself a thoroughly Christian woman in all her heavy trials.

How all these departures of the aged seem to bring us into the front rank!

To the same.

PROBABLE CHANGE OF MINISTRY.—THE FLIGHT OF TIME.

February 8, 1852.

. . . I have always time to read, though but little to write. I would we could enjoy a brief *coze* with each other, for we seem sadly to lose the short remaining hours of this life in its busy turmoil. But yet I feel that this is not our rest, and it is well for us not to be tempted to think so. Our heart is very deceitful; yet I think I can with a clear conscience say, I do not labour in this world's matters for any pleasure that they give me. I am thankful that I can take pleasure in my own work, but that is very different from making it one's object. So, too, I feel I hope not an undue pleasure in rising in my profession; but it would be a great joy to me to hear that I was at liberty to retire from it, and even the relief of being out of office will not be inconsiderable. They say we stand a little better than we did, but my belief is that the time will soon be at hand for our retirement. To-morrow is the day for the Reform Bill. It is, I think, an honest, and if carried into effect

will, I firmly believe, be a most useful, measure, yet it will probably please but few.[1] We seem almost to need some impending blow to make us serious. There is a sadly flippant spirit in our young men. . . . Our divisions may render some common evil necessary as a means of reuniting us. However this may be, I do, indeed, feel with you, my dearest friend, that the 'time is short.' How rapidly have our years flown! I saw yesterday a gentleman who had been much entertained by your tree inscriptions at Hertingfordbury,[2] which will become as famous as those of Nineveh; but how short a time does it seem since you told me of them in our boyish days! The mercy that has spared us through our youth will, I trust, be an earnest of our not being allowed to fall away. 'Much more, being reconciled' is a text that I often love to dwell on; for what wonderful love must it have been that could pity us in our filthy state of sin, 'even as a father pitieth his children'! A loving trust is our happiest condition of mind here; but, ah! what will it be when that love shall have been so perfected as 'to cast out fear'!

[1] These predictions were verified. See *ante*, p. 47.

[2] The names of William Page Wood, Shakespeare, and Milton, which W. F. Hook carved, together with his own, in the bark of some trees in the Rectory garden at Hertingfordbury. See *Life*, p. 3, small edition.

To the same.

OUT OF OFFICE.

February 20, 1852.

. . . I, too, am writing with a holiday feeling; for, what do you think? We are OUT. We gained a great triumph last night, and to-night a little factious move of Lord Palmerston's threw us over. I think he only meant to humble Lord John by making him back out of his own militia plan and adopt his (Lord P.'s); but Lord John showed his usual pluck, and, on being beaten by eleven, announced his intention of resigning. I don't know how I shall feel hereafter, but at present I am like a schoolboy set free. I had two heavy bills in hand, and meant to devote Saturday evening to Kaffir Blue-books for Tuesday's debate—a polite literature which I shall not now cultivate. I think Lord John has done well to yield to a factious move rather than be beaten on a great question. I send you, with this, 50*l.*, to which you are most welcome. You see you are just in time. I have had sad trouble to-day, worse than all political disasters. My master at Hatherley has been maltreating a boy, who lodged with him, with shocking and deliberate cruelty; and I am so grieved and distressed that it makes me ill to think both of his hardness of heart and the wretchedness it brings on him, for I must, of course, dismiss him. It is a heavy trial, for I really thought him a most Christian, good man.

To the same.

DECEASED WIFE'S SISTER MARRIAGE BILL.

Lincoln's Inn: February 21, 1852.

. . . I have made up my mind to speak, if I have an opportunity, on the Sister's Marriage question. I am sorry we differ on it;[1] but I do feel very strongly on all the grounds—religious, physical, and social—the impropriety of the measure. I think you are mistaken about the poor in your facts; at least, it is almost unknown in London in that class. The shopkeeping class (who, I fear, are our most sensual class), figure even in the Commission returns as about 1,400 to 140 in the classes above them, and 40 of the poor. My line will be to show our interpretation of Leviticus to be a singularly Protestant one, as the attempt is to run down the opposition as a Puseyite one—a most ridiculous mistake. The Karaites (or Jewish Protestants) interpreted it thus against the traditional and corrupt Talmudists, and the Gallican Church in its best days refused to recognise the Papal dispensations, and Scotland was even stronger on the point than our English reformers. Of course I shall argue that this corresponds with primitive interpretation. We can't stand a moment against the Continental and Scotch doctrine of

[1] Dr. Hook subsequently changed his opinion. See *ante*, p. 33, and *Life*, p. 436, small edition.

divorce if we lose our present position on the forbidden degrees.

To the same.

ON THE BILL FOR LEGALISING MARRIAGE WITH A DECEASED WIFE'S SISTER.

12 Great George Street: March 6, 1852.

The *Times* gave the best report of my speech and has taken my views to-day. . . . Roebuck has made a capital speech in the same sense to-day; the only difference being, that he says he thinks Scripture has nothing to do with it, and therefore reasons it on social grounds; I saying that I believe it to be prohibited, but am not, *therefore*, incompetent to argue it on social grounds; and that I should do so, because I despaired of the House agreeing on the Scripture view, whereas a large body might agree on the other view.

I meet Archbishop Whately's[1] somewhat flippant saying about the cook thus: it is not a question of proper or improper, but a question, first, of our existing social state; second, of the grounds on which it may rest.

On the first head, if a law had existed during the whole duration of our State, say 1,000 years, prohibiting the marriage of a man with his domestic

[1] I suppose Archbishop Whately had said that, the question being one of *propriety* only, a law forbidding the marriage of a man with his cook would be as reasonable as the existing law.

servants, I should be strongly inclined to say that any law interfering with so delicate a subject as the home relations of the people, by repealing that restriction, would be unwise, and I should vote against it on that ground only; but, secondly, I say, on the ground of public morals, you have a right to restrain all idea of a possibility of marriage (and thus raise a barrier against temptation) between parties who are placed in so familiar a position as the wife's sister is with her brother-in-law. On exactly the same ground the Roman law forbad an adopted child marrying the adopter's child; and if cooks were in the same familiar relation, I should wish to see the law extended to them. It is one of public morals. If you give way to the cases cited, what are you doing? First, all who have made these marriages in England have either knowingly told a falsehood before the registrar, or a more awful one before the clergyman. If you say we must give way to such a feeling against existing laws, are we to go further and say (as many of the witnesses in effect do) that we must give up our moral notions also as to truth and falsehood, and call these parties 'respectable men'? One witness says he knows a couple who live in concubinage because they will not tell this lie, and 'that they are very respectable, and keep a carriage.' Are we to give up the moral law as to fornication on this ground? Second, the agitation of the question

and the mischievous law of Lord Lyndhurst are great causes of the increase of these marriages. Third, divorce for incompatibility of temper, &c., must follow on their principles. Germany and even Scotland allow it; so Scripture will not be in the way, and many persons (poor people greatly to be pitied, no doubt!) live in adultery because they have such a brute of a husband and cannot get a divorce.

My firm belief is that a low moral tone is both the cause and the consequence of the agitation; a morbid sympathy with those who are in trouble owing to their violation of the law, similar to that which exists in favour of murderers, pirates, &c.; a kind of softness which makes pain unpleasant to us, however necessary as a vindication of law, human or Divine. I think the sympathy with the sisters of wives who are now enjoying the home and society of their brothers-in-law ought not to be overlooked. As to the aunt being the best nurse for a man's children, Roebuck said very well: 'True, she is; but is she the better for becoming their step-mother? If she has a family, all experience is against it.'

I am writing in the library of the House in the midst of bustle.

To the same.

REFLECTIONS ON HAPPINESS.—AN UNOPPOSED ELECTION.

Lincoln's Inn: July 22, 1852.

. . . I was thinking that, after our late very pleasant meeting, we were unusually long silent, when your touching letter came. I can fully enter into all your feelings at such a family gathering as you have enjoyed, and I believe it is one of the natural effects of happiness to make us thoughtful; whilst God's grace carries this feeling onward to a reflection on our own great unworthiness, and then a loving upspring to the Saviour. At times I have been blessed with the full persuasion that 'to whom much is forgiven, the same loveth much.' Would that the thought were more constantly present, for I am sure no one ever had more cause to burst into rapturous adoration! but alas! I am of the earth earthy, and a heavy dull lump of clay at times when I should be full of His all-filling Spirit. Greatly do we need each other's prayers.

. . . The Oxford election went off smoothly. Even the Tory paper said there never was a more quiet or respectable state of the town during an election, and it is a great comfort to have been spared both the bitterness and the vice incident to a contest. I cannot recall my expression as to Lord

——, for I am really shocked at a nobleman's shuffling as he has done; and the disgusting Protestant cant, too, is enough to turn one's stomach. I like Lord Blandford much, far more than I do Mr. Osborne, as a man; but I confess I was glad at the defeat of the 'Protestant Candidate,' as he was ostentatiously called in the placards; neither Lord R. Grosvenor nor Osborne, that I know of, being Papists. However, we have the comfort of knowing that Lord Derby is in a very decided minority. Whether our own blunders and squabbles will allow him to retain office a few months more, may be a question. But enough of politics. Truly thankful may we be that we are not worshipping a President on his progress after overcoming every appearance of liberty or justice!

To the same.

THE 'MADONNA DEL SISTO' AT DRESDEN—REVIVAL OF CONVOCATION—ADVANTAGES OF AN ESTABLISHED CHURCH.

Bealings: October 23, 1852.

. . . I am vexed that you did not receive my letter from Dresden, despatched September 13, as it was a long letter written in a fit of enthusiasm after seeing the wonderful 'Madonna del Sisto,' acknowledged to be Raphael's second picture, and which I prefer, from its intense unity, to the 'Transfiguration,' where the double subject

destroys the tranquillity of the awful scene upon the Mount.

You are, of course, familiar with prints of this picture; but no print can give the wonderful expression of the Mother and Child, or the awful stillness of the whole. It is more like an inspired work. The gallery is splendid as a collection; yet you can hardly look at anything else, and we sat before it for hours. One day I was there quite alone for an hour, it being the German dinner-time, and the result was a sonnet which I sent you in my letter, and I think I can remember to write here again.[1]

. . . I should like, had I time, to say something about the rumour of Convocation being allowed to debate, the truth of which I doubt, nor do I think we are ripe for it. The existing scheme of Convocation would have no weight, and any reconstitution would never pass the House of Commons in the present furious state of the Roman Catholics especially, who would say that they have a right to prevent our synodical action, as we have prevented theirs. I more and more see the importance of great parochial efforts, and a regaining of public confidence shaken by the school of Pusey, and its consequences on the one hand, and the deadness, or too great liveliness (as at Exeter), of our Episcopate

[1] This sonnet will be found in its place, with others, at the close of the Memoir.

on the other. I think so many Churchmen have a notion that religion should be a matter of general individual comfort, and on that ground look with indifference on a separation from the State ; but this is really the error of Dissenters. I speak the more feelingly from having been guilty of this fault myself.[1] As regards my comfort, I should be well content if we were a snug little body separate from the State, and having all things our own way. This, at least, is my fancied comfort ; the truth being we should soon become a small, narrow section, if not a sect, and, as we increased in numbers, we should quarrel and split up again ; which reminds me of the story of a friend of mine, who told me his relative in Scotland said to a servant, 'John, I fear you belong to the split.' 'No, sir,' was the reply ; 'I belong to the split of the splitted split.'

To the same.

POLITICAL MORALITY.

December 3, 1852.

. . . I am sorry so good a man as Mr. Johnstone misunderstood my speech, so far as to think that I consider it impossible for men honestly to have thought the measure of 1846 bad then, and to think it so now, and yet that it is not well to alter it. I had no such opinion; but I addressed

[1] See letters on this subject in *Life of Dr. Hook*, pp. 152, 157, 172, small edition.

myself to the scandalous speech of Disraeli, and to all those who were ready to support a resolution that the Free Trade measures mainly conduced to our prosperity and ought to be extended, and yet refuse to say that the measures which they so characterise were wise and just. . . .[1]

The wretched trickery of the whole is most apparent in Lord Derby's refusing to adopt the resolution which the Chancellor of the Exchequer accepted in the Commons. I never was so disgusted with public men, and look back, I can assure you, with regret to the old honest 'standstills,' such as Lord Liverpool and Lord Eldon, who at least had an opinion, and frankly avowed it.

To the same.

ACCEPTS OFFICE OF VICE-CHANCELLORSHIP.

December 27, 1852.

. . . This morning, at two o'clock, we were all knocked up at the Parsonage, Bealings, by Mr. Hayter, of course in deputy; and I had to come to town, when Lord Aberdeen offered me my choice of the Solicitor-Generalship or Vice-Chancellorship, Turner being made a Lord Justice. He said Lord J. Russell particularly wished it to be offered to me, as I had declined it once at his request —that he (Lord Aberdeen) should much regret losing my effective support in the Commons, &c., &c.

[1] See above, pp. 50–57.

In the meantime I found they had made so sure of my accepting it, that Cardwell had gone to Oxford. However, you know that I care very little about punctilio, and have not much ambition (at least I hope not), though I have great love of bustle and active life. But, as I had here no falling cause to prop, I felt I was free, and so took leave of the dear old house to day, as my writ will not be moved till to-morrow. I mean, by taking leave, I said a mental 'good-bye,' as I sat again on the Ministerial side.

In seriousness, at fifty-one, a man should think of quiet and his home. Charlotte has borne beautifully all the nuisance of public life; and she well deserves a change, which will be a happiness to me in all senses, and most of all because I know it is one to her.

I do not mean (D.V.) to retire on my judgeship. There is much active work to be done to make the new law work well.

You must pray for me, in this new and responsible career, that I may indeed have 'a right judgment in all things.'

They have not lately made the Vice-Chancellors Privy Councillors, on account of the Lords Justices being so; therefore I am not at all 'grand.'

To the same.

NEW OFFICE AND NEW DUTIES.—THE COALITION GOVERNMENT.

January 16, 1853.

. . . I have to thank you for your kind and hearty sympathy. . . . My first arduous though not unpleasant task was to answer the sixty or seventy letters of kind friends. Then I had a prodigious bustle as to arrangements for getting rid of my chambers, sending back my briefs, ordering my costume, taking leave of my constituents, &c. The latter business was really a very affecting one. You know that I am really a *philo-deme*,[1] not a democrat, and I was rejoiced to be able to meet four hundred or more of my really hearty supporters of the mixed classes. When I left the room I had to shake hands with nearly every one of them, and innumerable blessings were invoked, of which I wish I could deserve the tenth part. Certainly my Parliamentary life has been one of unmixed comfort, and the only unpleasant recollection I can have of it is that I have done so little. To have been preserved from contested elections, and all the vice and drunkenness that attend them, and to leave the city with the good will of every one in it, are blessings that may well make one humble. . . .

[1] A 'lover of the people.'

I have now had five days of work, and hard work it is. The stretch is very trying at first; for I have five hours and a half of constant attention, without one moment's interval of gossip such as one used to have at the Bar. The Chancellor, in a very kind letter, told me he felt a strange loneliness in his position when first made a judge; and I can quite enter into this. I shall certainly miss my talk very much. After leaving Court I go for about an hour and a half to the judges' chambers to do the work which the Masters used to do, and then I have to look into cases, &c., for an hour or so more. I see that I can seldom have less than eight hours of good work.

I do not dislike the work, however, and of course it will become easier daily as I become more used to it. The change of life will be very great, as I shall see little comparatively of the Bar, and nothing of M.P.s; but I think that God's Providence is probably calling me more to a meditative life. I am sure I should not have liked to be in harness as Solicitor-General for two or three years more. . . .

I liked your letter about Gladstone.[1] The mode of carrying on the contest is discreditable. I think the aspect of public affairs more pleasant than it

[1] To a 'Member of the Oxford Convocation' when Mr. Gladstone's election for the University was opposed because he had accepted office in the Coalition Government under Lord Aberdeen. See *Dr. Hook's Life*, p. 457, small edition, and vol. ii. p. 298.

has been for many years. It is, as you say, singular that you and I should thus at last be brought politically together, and it is a proof that men may honestly belong to this Coalition.

To the same.

RUMOURS OF A BISHOPRIC FOR DR. HOOK.—NATIONAL EDUCATION.

February 27, 1853.

I have had you much on my mind the last week, and that which I was only thinking, your brother came to-day with all anxiety to inquire about—whether I thought you would be the next bishop; that you were much the foremost man, &c.; with sundry other points in which I could agree; but I fear I damped his expectations. I think the appointment much too useful a one for any Minister to be likely to make, and that —— is a more probable man. Nevertheless, as I have a belief in God's overruling Providence, I do not altogether give up the hope that they may do what would be a most acceptable act to a large body of the Church. I have not forgotten what you said as to your personal views, but you would have to yield them. I find, however, that my ardour was not equal to your brother's. I have, in truth, long given up all wishing, and feel it to be a great comfort to wait for God's will in such matters. . . .

I have very little to tell you. We see little of any one in Lent, and my solitary grandeur on the Bench keeps me out of the way of hearing news. I am happy to say I get on very comfortably in my new work. It is not often that I have any very great difficulties in coming to a decision, and my errors can now be speedily corrected, such is the acceleration of our Chancery proceedings.

Something will soon be out about Education. Archdeacon Sinclair says he thinks I shall like it. I am not quite sure that our tastes will agree. My own belief is that money is all that is wanted; and if they would not trouble themselves about the disposal of it further than to see that a site is secured and inspection established, all would go smoothly. I suppose we shall be pressed on the Catechism point. I cannot yet see why a Society established to teach Church principles should accept children whose parents declare they shall not be taught the only thing we are associated to teach them. I prefer your plan of a mixed school and separate teachers to this.

To the same.

ADVANTAGES OF EARLY CLOSING.—RECREATION FOR WORKING MEN.

Lowestoft: September 13, 1853.

. . . I was glad to see your handwriting outside the 'Intelligencer,' and still more your lecture

within.[1] I think you must have enjoyed your meeting, for what you said read as if you did. I entirely agree with you in the whole matter. If you come to think of it, people will always be supplied with what they want; and if the hours of attendance are contracted, (reasonably), the supply will be easily delivered, for the refreshment will operate both morally and physically to occasion the shopmen to do as much work in nine hours, say, as in ten; they will be more brisk, and more anxious to do their work. The great thing then wanting will be, as you say, reasonable recreation. I think they must be left to find this out for themselves in a great measure. The best course would be to watch what they like, and free it from evil. I don't mean what individuals like, but what is agreeable to classes of people. For instance, I take it the quieter class of shopmen, drapers, &c., like reading, and the thing would be to provide a good reading room with the best newspapers, reviews, histories, poems, and even a few of the best novels, and some standard works of our old writers, including, of course, divinity; whilst the manufacturing class require something more of physical development, such as cricket. I am not very fond of gymnastics; they strain rather than develop the muscles. I believe Morrison was one of the first to provide in-door reading, &c., in a well-lighted

[1] On the 'Early Closing Movement,' given at Leeds. See *Life*, p. 466.

room for his shopmen, and Mr. Wilson's experiments in cricket show the value of such games in a manufactory; but I am actually lecturing a lecturer. All I fear is patronising the men, which in this country never answers.

To the same.

ON ARCHDEACON R. J. WILBERFORCE'S TREATISE ON THE 'HOLY EUCHARIST.'

October 30, 1853.

I have been longing to reply to that part of your long and very interesting letter in which you spoke of having met Archdeacon Wilberforce. I have been, on the whole, much pained by his book. I had merely glanced at it, as I think I told you, when we were discussing the subject once or twice at Coniston, but I have since read the greater part of it carefully over.

It appears to me that he is in great danger of perplexing both himself and others, as did Newman, by scholastic subtlety. Bacon has beautifully said that God has given us two Books wherein we may read Him aright; viz. the Book of His works, and the Book of His Word. It was the great object of Bacon to bring men constantly back from scholastic speculation to the former. Natural philosophers reasoned, with what they thought Aristotelian precision, on some scanty data of

observation, and spun out of their own brain cobwebs to catch flies, rather than elaborated honey from a refreshing recourse to natural objects and experiment. Bacon taught us to reason by induction, rather than deduction; that is to say, by gathering in masses of facts from the natural world, and then ascertaining their common law, instead of deducing by syllogism certain supposed conclusions from some one or two given facts; in other words, he exhorted us constantly to go back to the book of God's works in order to test the soundness of our reasoning by the certainty of facts. So, I apprehend, ought we to do with theology, which deals with God's other Book. We must not take a text here and there, and then syllogise, but examine carefully the whole body of Scripture, resorting to the commentary of early practical observance where there may be a doubt of the construction. We may then lawfully build up a system; but we must test every step, and not merely the first, by a recourse to the fountain head, God's Word. Logic is specially inapplicable to the higher mysteries. It can deal but with the finite; it is the organ of the understanding, rather than of the reason; and we are the more bound, therefore, to go back to the Word and to the testimony, at all times, when such mysteries as the body of the Infinite God are the subject of our contemplation.

As a Churchman I should myself think it enough that on a subject of much nicety and difficulty the Church had concluded the matter, for so I think our Articles have done, and it seems to me that every practical truth is settled by the Articles as Wilberforce himself would desire. We unequivocally hold that the Lord's very body and blood are really (because spiritually) eaten by the faithful, and that 'our sinful bodies are made clean by His body;' our nature is raised from that of the first Adam to that of the second Adam, 'a quickening spirit.' Now what may happen to the wicked, who do not 'discern the Lord's body,' ought not, I confess, as it appears to me, to be regarded as a point requiring to be pressed, or even to be cleared to the mind of the believer. I cannot conceive why any one should contemplate the necessity of lay communion on such a point, or think it necessary to teach more than the fearful fact that they 'eat and drink judgment to themselves.'

Our Article says Christ did not teach the 'reserving' of the elements, and I think Wilberforce lays far too much stress on this practice. Here I should say, 'Go back to God's Word.' Is there any sanction for it? The analogy from the Paschal Lamb is against it.

Does not the Church of England teach all that Scripture teaches when she makes (as I hold with you she does) the consecration and faithful partici-

pation the consummation of the mystery? The wicked 'press with their teeth' the Sacrament of the Body and Blood (Art. xxix.), yet 'in no wise are partakers of Christ,' *i.e.* as St. Paul says, 'do not discern the Lord's body.'

Whilst our Lord was on earth it is true that this very body was touched by those who did not discern it. Even then, as now, it required faith for any one to be in actual communion with His body, just as there must be a communion of generic character first given by God to the bud to enable it to partake of the tree into which it is grafted. The multitude thronged and pressed Him, whilst one only touched Him spiritually; and so again the impure lips of the sinful woman at Simon's were purified by faithful contact with His body, whilst Judas, in his awfully profane kiss, had no part in Him. But the Sacrament of the Body is not the same thing as the very body of flesh on earth. The Sacrament is that, I apprehend, which by consecration has acquired the susceptibility to spiritual contact on the part of the faithful, and is by the act of consecration so made a part of Christ as to be the living Angel of grace conveying Him to the believer; whilst to the unbeliever, not being the very body of flesh and blood He had on earth, and the unbeliever being incapable of any spiritual union, it remains a mere dead element. As it seems to me, the unbeliever no more receives the very body of Christ than

would any irrational creature. His boldness in profaning the mystery may well draw on him heavy judgments, but of the mystery he cannot partake.

I feel the great difficulty of this awful subject, and humbly submit every foolish thought of mine to the Church's teaching in this matter; but I greatly regret that Wilberforce's work on the Eucharist was ever deformed by this, as it seems to me, unprofitable and unwarranted doctrine; and I trust it may please God yet to keep so good a man in full communion with our holy, pure, and reformed branch of the Church Catholic.

My dear, dear friend, how thankful ought I to be that, amongst other inconceivable blessings of your friend's life, you gave me the means of acquiring sound knowledge on such matters, and led my mind to desire to look into them, more for love's sake, than for the sake of mere speculative lore!

My own heavy sins have made me, since that time, far more to see the ineffable blessing of this pardoning communion of His own self; and I am sure many a sinner will be saved who will know nothing of the refinements of this great mystery.

To the same.

PUBLIC MEN.

July 8, 1855.

. . . I am a little uneasy about public affairs. There is a nasty, dissatisfied tone prevalent, instead

of a hearty earnestness of purpose in everything; and, what is more alarming than all, there is a growing contempt for all public men. There is, I think, but one man of genius in the House; I mean Gladstone.

The steadiest and most upright man I still think to be Lord John; but he is in a false position, and getting, I suspect, tired of public life.

To the same.

MACAULAY'S 'HISTORY.'

Bealings, Woodbridge: January 1, 1856.

. . . I have been reading Macaulay here, and have nearly finished the first volume. It is very brilliant, but he is more of a partisan than ever. It certainly was a time of fearful corruption, owing to principles being relaxed by the reaction from puritanism, and an apprehension on the part of nearly every leading man that he was surrounded by those who would betray him, and a conclusion that he was therefore justified in preparing for the worst by keeping open communications with the exiled king, whilst pledging his faith to the one in possession. Still, Macaulay seems to darken these shades in order to bring out his hero in bolder relief. The 'History' must ever, I think, be read with deep interest, not only from its stirring descriptions (such as the deliverance of Londonderry, the battles of Killiecrankie and the Boyne, &c.); but,

from its vigorous and manly tone, its freedom from false sentiment (I do not mean false opinion), and its fine appreciation of character, where special prejudices have not intervened. He is, as usual, desperately unfair towards the Church. It is a thorough Whig feeling, the natural result of the old True Blue High Churchman.

To the same.

ON A PARODY OF MACAULAY'S 'HISTORY,' AND ON THE 'HISTORY' ITSELF.

Bealings: January 5, 1856.

. . . I must write a line to say how very much we were amused by the 'History.'[1] Her ladyship looked most complacent, and dear Edward chuckled with great delight. I am only sorry that I cannot show it to others, from the treasonable nature of its last paragraph, which would amuse many lawyers. You certainly have hit off Macaulay's style most marvellously. Yet, with all its blemishes, I believe the work will become a standard work, for a life-like history will itself live. A good one-sided argument, too, is very useful in the stimulus which it gives to those who undertake the duty of counsel on the other side. It is true that this will only be in detached answers. The Quakers will, of course, again defend Penn, some

[1] For the parody by Dr. Hook here referred to, see his *Life*, p. 574.

will take up the cudgels for Marlborough, some for the Jacobites (perhaps), none, I fear, for the Church; but facts will be sifted, and some future historian, when Whiggism is quite extinct, may be found to profit by the process.

To the same.

GERMAN RATIONALISM.

Great Bealings: January 5, 1857.

. . . I rather look forward to your promised letter on Denison's matter; but I will not treat you as Lord Palmerston has been treated, by retailing your opinion at large. A little before leaving town, I went to a S. P. G. *soirée* to meet the Bishop of London, and was glad to be thus introduced to him. I was introduced to Alford the same evening. I have been reading some of his prolegomena since I have been here, and am glad that he is free from ——'s modification of German Rationalism. It is really awful to think of such contemptible worms as we are sitting down to criticise the degree of enlightenment of St. Paul. —— evidently thinks him a man considerably behind the nineteenth century. It is only pardonable conceit, or at least amusing conceit, to find Dr. Cumming (as I did in a book I took up the other day, called the 'Blessed Life'), asserting that Chrysostom could not possibly have had such advantages as we possess in 1853,

from our superior light; but it is fearful to find the same doctrine applied to an inspired author. I do not, however, lose heart, for I think that there are manifest tokens of God's favour towards our own Church in the midst of all our troubles.

The Gorham case and Denison case will alike fail, it seems to me, in causing a disruption of our body, and these miserable, rationalistic notions will make all earnest men cleave more heartily to the Bible.

To the same.

UNION IN THE WORLD TO COME.—RELIGIOUS EDUCATION. —MR. SPURGEON.

Bealings: May 18, 1857.

. . . I often think that degrees in the world of love do not (as here) imply separation. There will be perfect union between the highest and lowest saints; for there will be perfect union with the Master of all, for all will then be not only servants, 'but friends.' This is a great comfort to one who feels how low he must be. What ineffable joy to sit at His feet in the very lowest place, and to have a consciousness that every saint, from the highest to the lowest, loves you even as He Himself loves you! . . . I happened to read this morning an account of a meeting of the British and Foreign School Society, in which I see the difficulties of Unitarians are felt; and Lord John Russell makes a

remarkable speech at the end, in which he says that, even if driven to sectarian schools, it is a preferable course to merely secular instruction. I think the heart of England is sound in the Christian truth ; and, if the coxcombry of Puseyites (I don't say Pusey) had not interfered, much might have been done towards sound Church principles being advanced ; nor do I now despair. How little do such triflers understand the deep feelings of our English heart ! The only thing that makes me long now to be in Parliament, is to sometimes ease one's own mind on such subjects. I am not vain enough to think I could do much good, yet still I think I could do some service as to a Church tone. It is annoying (though not at all surprising), to see Lord Palmerston talking of the 'Catholics' all through his Jew speech. I dined at Grillion's when in town last Wednesday, and Lord Carlisle, Sir J. Graham, and Lord R. Grosvenor were all talking of Spurgeon, whom they had been to hear. Lord C. said that it was a grand thing to hear 7,000 people singing a hymn. I said that every Easter Sunday I thought the service at Leeds church much grander, with which his lordship seemed to agree. Sir J. Graham asked if I had been to hear Spurgeon. I said No, I never left my parish church ; and I think these little protestations do some good, but one longs occasionally to hear a more decided testimony.

To the same.

BUCKLE'S 'HISTORY OF CIVILISATION.'

October 8, 1857.

. . . I have been rather hard at work in reading a very able, but most wrong-headed, book by a friend of Phillips's, a Mr. Buckle. His reading is enormous and memory as great. It is a 'History of Civilisation,' of which this is Volume I., and contains half the Introduction, consisting of 890 pages! It will be severely reviewed, and justly, for it is in the conceited intellectual style, and goes out of the way to favour [1] infidelity; but I think there is something better in the man, and his dedication to his mother, of whom he is devotedly fond, is a good sign of it. I wish, therefore, to write to him (as I know him) in a friendly spirit, before he is exacerbated by reviews; and it has been necessary first to master the book and the errors of his metaphysics. I think the book too large to do much harm, and the man too good not to make an effort to guide him better. He is about thirty-four years of age, and has worked at the rate of fourteen hours a day for years. He is of independent fortune, but, most unhappily, did not go to a university, where he would have found men superior to himself.

[1] The manuscript is here illegible, but some such word as I have inserted must have been intended.

To the same.

THE BISHOP OF OXFORD.—BISHOPS OF LONDON.—EVENING SERVICES AT WESTMINSTER ABBEY.

December 3, 1857.

. . . I agree entirely in your view of the Bishop of Oxford. He is, next to Brougham, about the best orator I have heard, but fails in producing conviction. At the same time his wonderful exertions are beyond all praise, and their good effect was manifest to me at Oxford. Some of my Radical and Low Church former constituents were (to my great amusement) full of his praise. 'Wonderful man, sir, our bishop! he preached here in the morning, held two confirmations, and preached somewhere else in the evening.' In a clever, smart work some years ago, 'Speculum Episcopi' (by Roberts), it was said if the bishops could only be seen at work, like the judges, their income would not be grudged. It is very true. I am glad that the Bishop of London is preaching at Bethnal Green. He wrote to press me to join the home mission as a governor. Lord Shaftesbury and Lord Lyttelton are both in it. I at once subscribed, but told him my difficulties as to accepting offices of which I could not fulfil the duties. He, however, again wrote to say he wished I would let my name appear; and I have done so. I feel how much older I am. The late bishop

looked on me as a good boy, the one before (Howley) had actually patted me on the head at the Mansion House because Dr. Gabel gave a good account of me, and now our diocesan treats me as an equal. I have been trying to push on the dean and chapter here to open the Abbey at once in the evening on Sundays. They were going to do so in the summer; but, since Exeter Hall has been closed, I think it should be done at once. They meet to-day about it, and I hope will yield, for they do not wish to do it.

To the same.

THE LABOURING CLASSES AND THE CHURCH.

Bealings: October 8, 1858.

. . . I was very glad to get a nice long *coze* from you. I don't care at all about your grumblings and longings for rest. You have been hard worked and in many different ways, some not at all to your liking; but that you are able to get through such work shows it is good for you to labour on. There can be no doubt that in exhibiting the power of the Church's teaching (in such a demonstration as that of the Friendly Societies and the hold you have on the masses), and at the same time demonstrating to the men of the world that the servant of Christ need be no whit behind them in all the courtesies and (as the Scotch say) amenities of life, you are letting your 'light so shine before men as

to make them glorify your Father which is in heaven.' May you long be spared to do His will in all things! You must, I am sure, feel deeply the hearty love with which you have inspired the labouring classes, and it is to bring them back to the love they once felt for the Church that we should all direct our thoughts. I have some hope that the Reform Bill may help us in this. The middle-class shopkeepers and small manufacturers are a conceited race, filling the ranks of Dissent because they are great men in the chapel; the lower working classes have been ousted from our churches by pews, and in the chapels they never found room; and, being thus left to themselves, they become either brutish in intoxication, or angry and fierce against their immediate superiors, the middle class. The first Reform Bill gave weight to a sufficient number of the lower class to rouse attention to their condition, but generally it was to the worst portion—the freemen and publicans. The new Reform Bill will, I hope, open the franchise very wide, so as to bring as many as can well be brought within the pale of the Constitution; but, at the same time, make residence for a given period a qualification. I speak merely of my wishes and expectations, for I have no idea what the bill is to be. One does not exactly like the way in which the old Conservatives are acting; but I believe their bill is likely to be a better one than a Whig bill.

In the meantime, as regards Church prospects, I am sure, if the people be politically in good humour, the Church will rally them far more than Dissent; only keep the silly boys quiet, who go puling and dreaming about Roman gawds. I was glad to see the Bishop of Oxford's letter as to confession. Nothing would be more fatal than any suspicion of such practices. I have been asked to preside at an Additional Curates Society meeting at Ipswich, and may perhaps say a word about this.

To the same.

CONFESSION.

November 14, 1858.

. . . The other day, a friend of Mr. Poole's sent me ——'s pamphlet in the hope that I should agree in his views. I told him my mind plainly, and referred him to your 'Dictionary,' and sermons on the subject. What a pest the sentimental school has become! However, we must take the world as we find it. I took the broad line of saying that it appeared to me our Church exhorted to a rigorous course of self-examination and a resting on God's promises, as announced and proclaimed by the Church, but left it to feeble and overburthened consciences to obtain solace, if needed, by opening their grief; that I thought questioning in no case justifiable; that an invitation to open one's

grief was a very different thing ; and that, perhaps, the most fatal immorality of the Church of Rome was its encouraging people to abandon their own conscience to another's keeping. We are told 'to judge ourselves, that we be not judged,' and we must be judged by our own conscience, and not by that of another man.

To the same.

SELF-INTROSPECTION.

December 1, 1858.

How like one of our old schoolboy *cozes* was your birthday letter to me! Just your own loving spirit, and your old hallucination about my being your superior, founded, I suppose, on my being rather sharper and quicker in learning languages than you were; whilst, oh! how immeasurably behind you I was even then, but much more now, in 'every good and perfect gift' that 'cometh from above'! When one thinks of a true friend, it becomes possible to realise the blessedness of enjoying the full happiness of others without a twinge, I will not say of envy, but of mortified vanity. I can feel this thoroughly as to you, and rejoice in the honour that is done you in thousands of ways, better than mere worldly distinction, with a joy that, by God's mercy, we may feel in heaven at the high exaltation of the saints;

but nothing shows me my own fleshly heart more than the hasty feeling occasionally of selfish reluctance at the advancement of some men beyond oneself, whom one may have been apt to look down upon. I don't feel any consciousness of any envy on such occasions, but a little soreness of personal feeling. Thank God it always passes off; but my first thoughts are frequently, as in this, so in many other respects, desperately bad. In truth, I want love; and it does me infinite good to have two such constant stirrers up of that most precious of gifts, in yourself and my own dear wife; both so thoroughly loving in nature, and, through God's singular mercy, both so much attached to me. I can hardly leave your dear wife out in saying this, for she seems so entirely one with us all, except by being again very far above my reach. I seem to be in spirit with her daily, as I have never failed one morning, I believe, to read her 'Meditations'[1] since they came out. . . .

You will have seen the Lord Justice story going the round of the papers, like your numerous bishoprics, and with the same foundation. I met Lord Brougham, as my lady and I were taking a holiday at the British Museum on my birthday, and he at once congratulated me, and claimed the merit of the whole; apparently much astonished

[1] *Meditations for every Day in the Year*, written by Mrs. Hook, and edited by her husband.

when I told him it was not true. I introduced him to Charlotte, when he bowed and kissed her hand, standing uncovered till he had obtained her permission to put on his hat—to the great amusement of numerous bystanders—and patting me on the shoulders. He is a surprising octogenarian. He was going to dine this week with Berryer, ,[1] and Montalembert—a *partie carrée.*

To the same.

STATE OF POLITICS.

April 6, 1859.

. . . I have not been much excited by politics. I am glad to see our party acquiring a little more consistency, and I think a new Parliament is likely yet more to improve them. Lord Derby's angry tirade against Lord John Russell looks as if he were seriously afraid of him. I am glad Lord John has laid down a more moderate programme (more moderate than must ultimately be arrived at); for I don't wish to see the Constitution 'scrambled for on the hustings,' as Lord Palmerston expressed it. I had rather all developments should be in the House. Foreign affairs look ugly, and I suppose Disraeli will not be unwilling to leave his successors a foreign war and a deficient budget. I thought his giving up the income tax last year a wretched bid for popularity.

[1] Illegible.

To the same.

HOW TO TREAT UNFRIENDLY CRITICISM.

July 6, 1861.

. . . If you were really serious about your preface, I can at once answer your question—'Put it in the fire.'[1] I advised you once, you say, not to fight with a chimney-sweep; but now you would attack the whole of that respectable body at once, and have to submit to unlimited pelting. If you are inclined to any such quixotic enterprise, let it be when your book is finished, or Bentley would have serious right to grumble.

As regards yourself, I think you have singular reason to be satisfied. Were it otherwise, to say nothing of its being undignified to remonstrate with such judges, it would give them the most intense delight (I mean, of course, the malevolent critics), show them how susceptible you are, and place you at a great disadvantage in respect of any future comments. The 'Saturday Review' happened to take you up; and if you are sore with the ——, you must read last Wednesday's article on 'Chichester Spire' (a leading article), which, both on public and personal grounds, you must accept as a mollifier.

No one can despise the man more than I do,

[1] Dr. Hook was meditating a sharp reply to some unfavourable criticisms on the first volume of his *Lives of the Archbishops*, to be introduced into a preface to the second volume.

who can ever venture to give pain and conceal his name. He may be entitled to give pain by denouncing ignorance and presumption; but, then, we should know his name, as you say, to enable us to weigh the value of his judgment.

But yet, after all, the fault is in the public; and your effort should be rather to instruct the public as to the value of criticism than to decry the critic.

You should also, where immorality is, in your judgment, involved in the conduct of an anonymous publication, decline to take it in.

You will say your preface does endeavour to instruct the public; but the instruction loses all its weight when it comes from an aggrieved author.

I think that damage is done to public taste and feeling more than to the author by these criticisms. If Wordsworth, Keats, or Tennyson have been damaged, you may depend upon it they were improved also. Wordsworth's 'Harry Gill' was sad stuff, and needed correction, and so was much of Tennyson's first poem. So were the 'Hours of Idleness' of Byron; and the real genius will, like Byron, be stimulated rather than quelled by unjust attacks, and improved by what is just. . . .

I think of having a circular printed to say that I will inform my friends when I accept the office of Lord Chancellor. It is surprising how even lawyers suppose it possible that a man who has shunted

himself on to a siding can with any justice be preferred to a man who has borne the burden and heat of the day as law officer. I think the present Chancellor [1] has fully won the appointment.

To the same.

ON QUESTIONS CONCERNING MARRIAGES, BAPTISMS, BURIALS, ETC. IN THE COLONIES.—THE PREACHERSHIP AT LINCOLN'S INN.

Aldeburgh: October 4, 1861.

. . . What a charming letter from the dear, good bishop! [2]

1. As to marriages with heathen, it appears to me he is right; but I much regret that the colony had not (if it has now) the advantage of civil marriage before a registrar. This is the obvious course in such matters, and would be an answer to the objection, 'You taunt me with concubinage, and yet will not marry me.' I think you then might say, 'At least the shameful injustice in a worldly point of view to your children will be obviated, and I shall look in hope to your effecting the conversion of your wife.'

2. As to baptisms, I cannot understand how we could, consistently with our Church's view, allow the sacrament to be administered without a promise as

[1] Lord Westbury.

[2] I do not know to what bishop reference is made; but clearly, from the contents of the letter, to some missionary or colonial bishop.

to the child's bringing up. I take it there can now be no objection to the parent being the sponsor.

3. As to burials, I should think the simplest way would be to adhere to the rule in force in England, to bury in some unconsecrated part of the churchyard or other ground, in cases of the unbaptised, suicides, and the excommunicate. I doubt the right, and still more the expediency, of excluding any others. There could be no objection to a sermon explaining the Church's charity in this matter. I assume, of course, a wish expressed by the relatives. In the absence of such wish being strongly expressed, I can see no impropriety in representing to the friends that a modified service would be better than that which is appointed by the Church on the assumption of the deceased being in communion with her, especially if he could be shown to be self-excommunicated by never having attended any of her ordinances or any Christian worship. . . .

As to candidates for our preachership,[1] I have written some twenty letters to them and their friends. Amongst others I have written to —— himself, and, curiously enough, merely on his saying 'he was not of a school that thought reason and faith opposed.' I answered much as you have done, and I said I did not know that such a school now existed; but I did not conceive that philosophy, any more than

[1] At Lincoln's Inn.

Christianity, would accept, as so many now do, the wildest hypotheses, unsupported by any experiment in facts or truths.

To the same.

ON THE DEATH OF MISS WOODFALL

(A Daughter of Woodfall, the printer of the Letters of Junius. She lived in Dean's Yard, and died at the age of ninety-four).

February 19, 1862.

. . . We, yesterday (Charlotte and I), went to dear Miss Woodfall's funeral. It was at nine o'clock in the morning, in the Cloisters. The dean and two canons took part in the service. I could only attend that part which was in the Abbey, leaving Charlotte to follow to the grave. We were not invited, but followed at a distance. I was much touched, and put into a pleasant frame of mind for my walk to Lincoln's Inn, in the course of which I meditated the following epitaphic sonnet:—

Soldier of Christ, farewell! Scorn not the word.
Baptised into His name, she well hath worn
Her Christian armour, and aloft upborne
For ninety years the banner of her Lord.
God sees not as man seeeth, and the sword
Wherewith she warred was His Eternal Truth;
Her shield the faith with which from early youth,
In trusting love, her Saviour she adored.
Alone she walked, and with such lowly grace

> The proud were humbled, whilst her gentle trust
> Upheld the meek: her strength was to sit still;
> And when, awaking, she beholds Thy face
> In the glad resurrection of the just,
> Thou, Lord, shalt with Thyself her being fill.

I felt thankful for a half-hour of upraised thoughts; for 'adhæsit pavimento' is often the state of one's soul in working time.

To the same.

THE IRKSOMENESS OF WRITING.

31 Great George Street: November 4, 1862.

. . . You have been a first rate correspondent of late, reminding me of our boy days, when hardly a week passed without a letter. We have been prevented this constant intercourse in later years, not so much from actual want of a leisure half-hour—though that, too, is often the case—as from being less in the humour, when working all day long. From my boyhood the labour of handwriting was irksome, but the heavy toil of equity drawing afterwards made it positively loathsome; and much as I enjoy a chat with you, yet still I feel my digestive powers upset if I write long or continuously. I always want to write twice as fast as I can—part of my too impatient character—and this excites me. I seem so to long for a chat with you; quantities of things occur on which one would rather talk than write.

To the same.

BABBAGE'S CALCULATING MACHINE.

31 Great George Street: March 4, 1864.

Babbage can so arrange his machine that, if turned on and on for any number of turns, it shall produce to view a series of figures according to a given law, say, of the squares of the common series (viz. 1, 2, 3, 4, 5, 6 &c.). The figures at each successive turn will be as follows—1, 4, 9, 16, 25, 36, and so on *ad infinitum*; the square of 1 being 1, of 2 being 4, of 3 being 9, and so forth. But he can also so arrange his machine beforehand that for, say, 1,000 or 10,000 turns, the series shall be according to the law of the squares; then for, say, 33 turns (to make it correspond with our Lord's life), it shall be according to the law of the cubes, and then again shall fall back to the law of the squares for 1,000 or 10,000 times more—all this without touching the machine after first setting it. Now suppose the machine to have a face like a clock, and to present the result of one turn each year, and for 1,000 years philosophers (knowing nothing of its construction) have simply observed and recorded the law of the squares, and then another set of philosophers during the 33 years have watched and recorded their observations, they will record the law of the cubes; then for

1,000 years or more afterwards the law is observed of the squares again. Some sceptics at the end of the second 1,000 years might say: 'This is incredible. All our ancestors, except a weak set of men who lived 33 years on earth, have seen the law of the squares for 1,000 years before these 33, and for 1,000 years after. We have clear evidence that there is no change at all. It is always one beautiful uniform law of the squares, and it is absurd to suppose that it has been broken through for these 33 years.' The argument against miracles is: 'Nobody, for 4,000 years before Christ, saw any one raise himself from the dead. No one for 1,800 years since has seen it. It cannot then be true.' Why should not God pre-arrange His laws as well as men? A miracle is no overthrow of God's law; it is only a variation from the ordinary course of His laws. The credibility may be a reasonable question as regards the witnesses, the time and the circumstances of the alleged miracle; but to say, with Hume, that no testimony can establish the fact of a variation in God's laws, is to deny to the Deity what you concede to be within the pre-arranged contrivances of man. I have not time to make this shorter.

To the Rev. W. R. W. Stephens.

Aldeburgh, Suffolk: September 7, 1865.

. . . Your work must be very interesting under such a man as Mr. Furse, and of course, as you see it grow, it will become more so. The middle class are the most difficult parishioners every where, and I think it not at all to the credit of Dissent that they are so great upholders of schism. The sin of schism arises from the pharisaical spirit, at its best; literally, pharisaical separatist—a feeling that the Church is not pure enough, and that if one wishes to be pure one must leave it. Now if there were not evil doers in the Church, and even among its ministers, it would not be like the net to which our Lord compares it, nor apostolical like His own first foundation, which included Judas; and of course, as a sect increases, it soon finds that the much-coveted heaven on earth cannot be attained in its own separated body. But Dissent in its worse phase includes all those who find themselves nobodies in the Church, and somebodies in the Meeting House. No sect except the Wesleyans appear to me to have touched the poor, unless it be the Baptists, in the country. I don't think they have reached the poor of our towns. Woodard has done a great work in providing middle-class schools, with Church feeling, for the farmers, and I wish more were done in that line for towns.

To the same.

ON THE SUDDEN AND ALARMING ILLNESS OF MRS. HOOK.

March 13, 1867.

What can I say? I do so wish I were with you in this terrible trial! How kind of you to think about me in your trouble! It is only now at night, after my day's work, that I have heard anything. We shall long for to-morrow's letter; but I shall post this before going to the Abbey, and therefore before we receive your letter. I take a hopeful view of all; but it cannot be doubted that such attacks are warnings to us, and when so very unexpected they fall with great additional weight.

It is my daily prayer that I may be supported under the heavier earthly trial that can befall me; for I know that it will be the heaviest should it ever happen to me at all, and I know all that you must feel, my poor, dear, darling friend. God uphold you all! . . .

To the same.

CRITICISM ON A PASSAGE IN MR. FROUDE'S 'HISTORY OF ENGLAND.'

31 Great George Street: May 14, 1867.

. . . Yesterday our Court rose, and I have this morning looked carefully into Froude. I think him most unjust, and the 'Answer'[1] only

[1] The answer of the ordinaries in A.D. 1532 to a supplication from the House of Commons to the King, Henry VIII., which contained various complaints against the clergy.

open to exception really in one part, viz. where they defend taking the profits of livings to bring up kinsmen and young folk ;[1] for the only plausible argument for celibacy is the avoidance of the necessary expenditure on a family. As regards 'heresy' the Commons were as violent as themselves, and as regards its temporal punishment they justly refer to the statutes as sanctioning it. Their notions of spiritual power were not extravagant for the age (I mean as to Convocation's proceedings not being confirmed by the king, and the taking of fees for sacraments).

The sneer, that they thought themselves saints, (p. 224) is most unjustifiable (see 'Answer,' p. 231), nor is it just to say the whole body was corrupt. In fact, the Commons at the time as little foresaw or intended all that followed when the king led the way, as the clergy themselves, and this appears from the preamble of the Commons about heresy, and their offer to punish it more severely. There were, no doubt, some amongst them who both foresaw and intended far more serious consequences ; but it is reasoning after the event to attribute this to the petition.

Froude's whole style is detestable ; and, in fact,

[1] One of the complaints was, that nephews and other relatives of bishops were appointed to livings whilst they were still minors. The ordinaries replied that if the proceeds of the benefices were applied to the education of the said minors, they thought the practice was defensible, but not otherwise.

anything like a fixed belief in a dogma with him, is like setting up a red rag before a bull. He has, I think, at bottom a sound affection for what is right, but his prejudices are enormous. It is curious how full of prejudice every man is who complains most of it in others. The real principle that must prevail amongst men, from the necessity of the case, is that, since 'pre-judicium' cannot be avoided as long as we are not born full aged, with all our logic at hand—because an untaught baby would be an idiot—we have each of us to instil into children the result of our own training corrected by our own experience. Everything done before a child is part of his education, and nothing short of locking him up by himself with a nursing machine (if such could be invented) would prevent prejudice, and succeed in effecting idiocy.

To the same.

CHARACTER OF HENRY VIII. AND THOMAS CROMWELL. NEED OF DIRECTION IN ENFORCING ECCLESIASTICAL AUTHORITY.—STATE OF POLITICS.

Bealings: May 21, 1867.

. . . I had just finished reading the Introduction[1] as Edward challenged me to a long walk yesterday, so I could only send it off with a short

[1] To vol. vi. of Dr. Hook's *Lives of the Archbishops of Canterbury*.

line. I cannot say how much I like it. The character of Cromwell I certainly never before appreciated, and I think you will do service, too, in restoring Henry VIII. to something nearer his true position than his truculent violence on the one hand, and Froude's advocacy on the other, have left him. You must take the trouble of looking at the text again; for there are various slips of English, and one or two slang expressions, which must, I think, be removed; but these are comparative trifles. I suppose you will be in the press by July—I mean the whole volume. I have been greatly vexed at the dear Bishop of ——'s proceedings. Even truth may be so handled as to set men against it. He does not see that men cannot, in this day, be put down by authority where their judgment is not persuaded. Yet, in spite of rationalism, I believe men are as accessible to right and holy feelings as ever, if you do not scare them away by your tone and manner. All he has said might have been conveyed by simply citing Scripture and the Prayer-book, and asking what the inference must be? but a hard assertion of the priest's authority, as such, without a careful introduction founded on what a simple-hearted Churchman would at once admit, viz. his Bible and Prayer book, gives unnecessary offence—the literal meaning of stumbling-block. Then you have such an infidel article in response as the ——, and Lord S. G. O.'s letter.

Without any compromise, you have asserted the full authority of the ordained minister of God's Holy Word and sacraments, as fully and clearly as the bishop; which is not one of the least merits of your 'Lives.' . . .

What strange political events! Dizzy has managed all very cleverly; and, as one thinking sincerely the crisis a grave one, I am glad he has succeeded; but what noodles must the Conservatives be! I suppose they really begin to see they must give up all hope of sticking to their antiquated hostility to Reform, and required only to be gently broken down. The worst of it is that public morality is always more or less shocked by men unsaying all they ever said when in office, and apparently for the purpose of retaining place. I say *apparently* sincerely, for I believe Dizzy and Lord Stanley are greater Radicals than I am, and honestly mean to grant a wide suffrage; but certainly, after straining at Gladstone's gnat last year, they and their followers have swallowed a prodigious camel.

CHAPTER IV.

Offer of the Lord Chancellorship—His unwillingness to accept—The new Ministry—Speech at Fishmongers' Hall—Congratulatory addresses—Speech on second reading of Irish Church Bill—Speech on July 20, 1869—Law Reforms—Appointment of Sir R. Collier—Speech in defence of it—Ecclesiastical judgments—The Purchas and Bennett cases—Failure of sight—Resigns—Gradual retirement from public life—Death of Dr. Hook—Death of Lady Hatherley—Illness and death of Lord Hatherley—Remarks on his character.

THE new Lord Justice had now reached the highest position for which he seemed to be destined. From the day on which he had accepted the office of Vice-Chancellor in preference to that of Solicitor-General, he had dismissed from his mind any ambition which he might ever have entertained of rising to the most exalted post attainable in his profession. By the choice which he then made he had deliberately put himself outside the ordinary line of promotion. The Attorney-General, unless he should happen to labour under some peculiar disqualification, most naturally succeeds to the office of Lord Chancellor when it

becomes vacant. And in the year 1868, in the event of a change of Ministry, one who had been Attorney-General under the last Liberal Government, Sir Roundell Palmer, was pre-eminently fitted, by his high moral character and his reputation as a lawyer and a Parliamentary debater, for elevation to the woolsack.

The circumstances, however, under which Mr. Gladstone acceded to power led to the office of Lord Chancellor being declined by the man who had an unquestionable right to it, and accepted by another who, though not inferior in ability and learning, had no expectation of receiving the offer, and no desire to accept it.

On March 30, 1868, Mr. Gladstone moved his three celebrated resolutions declaring the necessity for disestablishing the Irish Church. The first resolution was carried on April 30 by a majority of sixty-five. Mr. Disraeli, however, announced his intention of not resigning, but appealing to the country. Parliament was dissolved on March 11: the election proved that the verdict of the country was adverse to the Government, and before the new Parliament had assembled Mr. Disraeli resigned, and the duty of forming a Ministry devolved upon Mr. Gladstone.

A measure for the disestablishment and disendowment of the Irish Church was an essential part

of the programme of the new Government; but to such a measure Sir Roundell Palmer could not conscientiously assent, and it became necessary to look out for some other man to sit on the woolsack. In addition to his unrivalled reputation as a lawyer and a judge, there was one fact in the past career of Lord Justice Wood which pointed him out as specially suitable for the office of Lord Chancellor at this particular crisis: he had advocated the disestablishment of the Irish Church twenty years before, and he had not afterwards deviated from the opinions which he then maintained upon the subject.

Nevertheless, the offer of the Chancellorship came upon him with the shock of a great surprise. He had long ceased to desire a return to the excitement of political life which he had, fifteen years ago, relinquished with some feelings of regret. He was now in his sixty-eighth year, and the sense of his advancing age combined with his natural modesty to make him shrink from the great responsibilities and arduous labours of so high an office. He urged other names upon Mr. Gladstone; he even went the length of proposing that the great seal should be put in commission; but the Premier was firm. The Lord Justice then yielded; and, accepting the office as a duty from which there was no escape, bent all his energies to

fulfil it with his accustomed earnestness and conscientiousness of purpose.[1]

The public, and the press generally, expressed the highest approbation of the appointment as being one which would contribute much moral weight to the Government, combined with ability and legal knowledge of the highest order. There was a general fear, however, amongst political friends, and hope amongst political opponents, that the new Lord Chancellor would prove defective in debating power. This anticipation was signally disappointed; and it is difficult to say upon what it was founded. His judgments, indeed, being as a rule unwritten, were not polished compositions, but no inference could be drawn from this fact respecting

[1] The following list represents the original composition of the Cabinet:—

First Lord of the Treasury	Mr. Gladstone.
Lord Chancellor	Sir W. P. Wood (Lord Hatherley).
Lord President of the Council	Earl de Grey.
Lord Privy Seal	Earl of Kimberley.
Chancellor of the Exchequer	Mr. Lowe.
Home Secretary	Mr. Bruce.
Foreign Secretary	Earl Clarendon.
Colonial Secretary	Earl Granville.
War Secretary	Mr. Cardwell.
Indian Secretary	Duke of Argyll.
President of Board of Trade	Mr. Bright.
Postmaster-General	Lord Hartington.
First Lord of the Admiralty	Mr. Childers.
Lord Lieutenant of Ireland	Earl Spencer.
Chief Secretary for Ireland	Mr. Chichester Fortescue.

the probable nature of his debating power; and, in truth, when he was in Parliament, he had displayed no small skill and efficiency in debate.

On December 9 he attended the council at Windsor, at which the new Ministers received their seals and badges of office from the Queen. The new Parliament assembled on December 10 for the purpose of swearing in the new members and electing a Speaker, and was opened by royal commission. The Lord Chancellor's patent of peerage had not then been made out, and he consequently made his first appearance in the House of Lords in his black silk gown, presenting a singular contrast to the other lords commissioners by whom he was flanked—the Duke of Argyll, Lords Sydney, Kimberley, and De Grey, who wore the cumbrous robes and huge cocked hats which make the lords commissioners on such occasions look more like figures in a pantomime than high officials in a State ceremonial.

The new Lord Chancellor seems from the first to have made a favourable impression on spectators by his clear voice and dignified presence. The tones in which he read the Queen's message, brief as it was, directing the Commons to elect a Speaker, left no doubt that, whatever his other qualifications as an orator might be, he would have no difficulty in making himself heard, even in the House of Lords; and in one of the papers it was remarked that 'the

towering precipice of forehead which looked down upon the House from the woolsack was eloquent enough to bid hasty critics halt, and to suggest that one need be as courageous as Lord Cairns to venture unnecessarily into controversy with the owner of such an imposing feature.' He was present the same evening at a banquet given by the Fishmongers' Company in their Hall, when he made the following speech, in reply to the toast of 'Her Majesty's Ministers' :—

'I feel very deeply gratified by the manner in which you have received the observations which your chairman made in speaking of me personally. I feel, however, still more gratified by that feeling of earnestness and sincerity with which you have received the toast of "Her Majesty's Ministers." So far as concerns myself, to be well known and respected among you is as valuable a reward as any man can desire to obtain. You have been acquainted with me for more than forty years as a member of your company, as well as with those who have gone before me, and I trust you have found that I never have swerved from the principles which they and I have always professed. Before thanking you for the terms in which this toast has been proposed, so far as it relates to the position in which Her Majesty's Government is placed, I cannot help saying one word to signify the deep regret which I feel that it is not

responded to by a learned gentleman whose distinguished talents as an advocate, whose sound and wise eloquence in the House of Commons, and whose integrity of character have clearly marked him out for the highest position in his profession, which he has been prevented from filling simply by the influence of motives on his own part which reflect upon him the utmost honour. In him the Government would have an abler assistant and guide than I can pretend to be; but this I may say of myself, that during those sixteen years of political silence which have been imposed upon me, I have never ceased to hope that much which has been accomplished might be achieved, and I have not been disappointed. More than twenty years ago I spoke and voted in favour of such a measure of household suffrage as last year became the law of the land. I spoke and voted in its favour when it was advocated by Mr. Hume, when its supporters only mustered eighty, and when we were called 'destructives.' During the time I have been absent from political life the happy result which we then aimed at has been attained. And, speaking now to you in merely an historical point of view, what, I would ask you, are the great changes which have been effected since the days of Mr. Canning's Administration? We have come to a state of things in which the Test and Corporation Acts are looked upon as a wild fiction

of the past. We have arrived at a period when every one of our Roman Catholic fellow-countrymen is admitted to the enjoyment of equal privileges with ourselves—when a Roman Catholic gentleman occupies in Ireland a position similar to that which I hold in this country. We further have seen the corn laws, the navigation laws, and slavery abolished, and the last fragment of religious distinctions swept away by the admission of Jews into Parliament. We have witnessed, too, the abolition of compulsory church rates; and, lastly, we have had that great measure extending the franchise passed, under the auspices of which the present House of Commons was elected. And are we not all, I would ask, glad that those great changes have been accomplished? I cannot forget the lugubrious vaticinations by which they were preceded. You will now, however, admit that in repealing the corn laws it is not the agriculturists whom we have destroyed, but those bad feelings which set one class against another; that in promoting Free Trade it is not commerce which has been extinguished, but the fetters by which it had been hampered; and that in giving perfect equality to the members of every religious persuasion, it is not religion itself which has been swept away, but those hard and fast lines by which the members of one faith were separated from another. Nothing, in my opinion, can be more fatal than to place an

Act of Parliament between the heart of any man and one's own; and I am happy to think that principles of government have now been established in this country which are not likely to fail us, and which will do away for ever with those vaticinations of evil which are indulged in when any measure of progress is introduced into Parliament. We have now brought within the pale of the Constitution numbers who have been hitherto excluded from it, but whose loyalty is no less heartfelt than our own, whose sons man our army and our navy, and whose interest in the happiness and prosperity of the country is as little to be doubted. I look forward, therefore, to the future, with the utmost confidence; and as to Her Majesty's Ministers, I will only say that I deem it the highest possible honour to be restored under the leadership of Mr. Gladstone, as it were for a season—for at my time of life the period cannot be very long—to a position of active participation in that policy of progress on which I believe we have now fairly embarked. I have the greatest confidence that the trust which has been reposed in Mr. Gladstone by the English people will be fully responded to, and that the measures which he proposes will be dictated by justice and consideration for the welfare of the nation at large.'

The deep respect and affection entertained for Lord Hatherley (as he must now be called), not

only in Westminster, where he had resided for forty years, but in other places where he was a frequent visitor, caused him to be the recipient of many congratulatory addresses and demonstrations which, however gratifying in themselves, were to a man of his modest and self-depreciating disposition peculiarly embarrassing. He and his wife had always been accustomed to spend their Christmas with his brother-in-law Mr. Moor, the rector of the quiet little village of Bealings, in Suffolk. On their arrival at the Bealings railway station shortly before Christmas Day 1868, they were somewhat overwhelmed to find a troop of gentlemen on horseback, besides a mixed company on foot, who, after presenting an address of welcome, escorted their carriage to the rectory, preceded by a band of music, and passing under four arches of evergreens with congratulatory mottoes which had been erected in the village.

Again, after his return to London, he was invited to attend a meeting on January 2, 1869, at the Palace Hotel, when the following address was presented to him by the Dean of Westminster, whose hand may be detected in the style of the composition :—

'We, the inhabitants of the precincts of the Collegiate Church of St. Peter, Westminster, and of the parishes of St. Margaret and St. John, Westminster, beg respectfully to convey to your lord-

ship the expression of our sincere rejoicing in your elevation to the great office to which you have been summoned. We leave it to others to dwell on the advantages accruing to the State from the nomination to this high position of one who has by his character and abilities so adorned the profession to which he belongs. We approach your lordship in the simpler and humbler light of friends and neighbours, to whom your unbroken residence of thirty-five years[1] with us has given this right of addressing you in the terms of grateful and affectionate sympathy.

'During this protracted period, full of changes to the world at large, from which this ancient precinct and its immediate surroundings have not been exempt, it is not too much to say that you have been the foremost amongst the residents of Westminster; a never-failing stay to its inhabitants, whether as a judicious and munificent patron of all good works, a zealous defender against misrepresentations, a wise counsellor and helper in all difficulties.

'The Abbey claims you amongst the earliest and most punctual of its daily worshippers; St. Margaret's owns you amongst its most faithful parishioners; St. John's has received your constant and cordial co-operation. The Free Library of Westminster, first of its kind in the metropolis, looks

[1] An error for 'forty-one years.'

back to you as its founder. The Sunday schools of our vicinity have enjoyed, week after week, the encouragement of your presence and instruction. The Westminster Spiritual Aid Fund, with its important consequences, was fostered, in great measure, by your generous interest.

'But, more than all, we would acknowledge the blessing we have experienced from your personal influence and character, drawing out from each one whatever there may have been of good; uniting us by genial sympathy and neighbourly kindness; keeping alive in the midst of us a constant sense of the duty of upright dealing, and of unwearied continuance in well-doing. Amongst high and low, old and young, in Westminster, there is not one who may not be cheered and strengthened in the struggles and temptations of life by the bright and shining example of the humble, consistent, Christian walk of the noble and venerable judge whom they now delight to honour in the august seat of the Lord High Chancellor of England.'

In October also of the same year, when he paid his first visit after he became Chancellor to Hatherley, the place from which he took his title, the inhabitants of the village and neighbourhood held a great ovation in his honour.

The Bill for the Disestablishment of the Irish Church came on for second reading in the House

of Lords, in the middle of June, and the Lord Chancellor spoke upon it on the fourth and last night of the debate, immediately following Lord Westbury, who had unexpectedly appeared. A delicate vein of gentle irony may be observed in the opening remarks. 'My lords, it is a great satisfaction to me, after having heard the eloquent address of my noble and learned friend (Lord Westbury), to find in the course of that address, in which he has denounced the motive of the bill, in which he has denounced the principle of the bill, and in which he has denounced nearly every clause of the bill, that there are still three points on which I can perfectly agree with him. The first point is that, like him, I shall support the second reading. The second point on which I wholly agree with him is that the verdict of the people of England should be a calm verdict, founded on the instruction they may receive, and the best deliberation that they can give, or have given to the subject. I believe that they have during the last autumn received that instruction in a manner, no doubt, not adequate to that which might have been afforded to them by my noble and learned friend, if he had addressed to them his eloquent expositions on the subject; but still they have enjoyed the benefit of the clear exposition of Mr. Gladstone; and, whatever may be the failings of Mr. Bright, a want of clearness, and of power to make

himself understood by the people, is not one of them. And the third point on which I do wholly agree with my noble and learned friend is this—that I deeply regret with him that this measure of justice to Ireland should have been so long deferred. Accordingly, I am very thankful to recollect that exactly twenty years ago—in July 1849—I had the satisfaction of supporting in the House of Commons a motion for a Committee on the Irish Church. I expressed my opinion at that time that it should be disestablished and disendowed; and I also supported the system of concurrent endowment of the three religious bodies in Ireland, though believing it to be then, as now, impracticable. It was no fault of the party with which I was associated before I left the House of Commons that this matter was so long delayed. I mention this the rather because my noble friend, who moved the rejection of this bill, warned us carefully to reflect deeply before we took any steps in so grave a matter. I can assure the noble earl that I have reflected much, however weak my capacity may be for so doing, and therefore I do not approach with any consciousness of irreverent haste a subject so large, so solemn, and, as I agree with my noble friend in thinking, in some of its aspects so awful. I began to consider it some forty years ago, in 1829; and I have found my conviction strengthened from year to year that the only way

in which justice can be done on this great question is by entire disestablishment and disendowment.

'I think it will be a relief to your lordships to hear that I shall not follow my noble and learned friend's example in dealing with the clauses of the bill. Not that I am unprepared for the observations which he made. He has stated to you some points of law, and has asserted them with the confidence he is justly entitled to entertain. At the same time I feel equal confidence in the contrary view which I have formed. But I will not now enter into any details of that description. I would rather approach this bill on those great and general principles by which we ought to be guided on the second reading. It is not pleasant, my lords, to find the bill described as a bill of spoliation, a bill of sacrilege, as a bill founded on fear, and as a noble duke (the Duke of Abercorn) said to-night—and I rejoice to think that he was the only one in your lordships' House who used such language—as a bill founded on the base notion of advancing party ends. I have always found it is not a good symptom of our own condition of mind when we cannot conceive the action of an opponent to be directed by any but a bad motive. I will dwell no more on this subject, and I hope I shall say nothing in the address which I have to make to your lordships that will give any such offence as that remark of the noble duke has—I

will confess it—most justly given to me, and all connected with Her Majesty's Government. For, my lords, I have treasured in my heart for many years the sentiment expressed by one of the greatest saints of our English Church, Richard Hooker, that the "time will come when one word spoken in charity will outweigh a whole volume written in disdainful sharpness of wit."

'Well; I am to consider whether this dangerous, this fearful, this ill-timed bill is sacrilegious; and, perhaps, I ought to add, as the first approach to all these evils, that which the right rev. prelate ascribed to it the other night—"its undying hostility to the Protestant religion." And that, too, is cheered! Well, my lords, I am a Protestant, and have always been a Protestant; and I am also a Catholic, and have always been so. I adhere strictly, and have always adhered through my life, and I hope I shall to the end of it, to those principles which induced the great reformers of the Church to clear it of those abuses which had accumulated round it. Yet I give my adhesion to this bill. . . .

'But we are told that we are committing sacrilege in dealing with the funds devoted to what is called the National Church in Ireland. That question was admirably dealt with by the right rev. prelate (the Bishop of St. Davids), who has spoken with such grave and statesmanlike wisdom

in the course of this debate, and who illustrated the point by the example of St. Ambrose. But I think I can rest upon higher authority even than that. We are about to take that which has been devoted hitherto to teaching the religion of our Saviour. We would willingly have it devoted, if it were practicable, to the teaching of that faith to the whole of the Irish people; but we find it impossible. And are there not other uses to which, without committing sacrilege, it may be devoted? There was One who was eyes to the blind, and feet to the lame; who went about healing the sick, and curing those who were paralytic, and restoring to their right reason those whose minds were distracted—and here I must remark that there has been an attempt to raise a foolish laugh because it is proposed to devote the funds of the Church to some of the like purposes. Would *He* have regarded such uses as those to which we hope to apply this money as sacrilegious? Are we not following His example, and treading in His footsteps, in so applying funds which cannot be directly applied to the purposes for which they were originally intended? . . .

'I come next to the Treaty of Union on which, to my surprise, the noble earl who commenced the debate last night (the Earl of Derby) insisted. He said that the Irish Parliament was dissolved on the faith of the Act of Union, and that that

document contained clauses which were to be binding upon us for ever. The noble and learned lord (Lord Chelmsford) went on to say that the Irish Parliament, being deceased, was like a testator —such was the image which he employed—who had bequeathed property on conditions, and by whom you could no longer be released because he was dead, and that therefore you must be bound for ever by the conditions which he had imposed in his will. Now I, for one, do not regret the decease of that testator. I think if we did not reflect a little sometimes on some of the modes by which its end was brought about, we might say of the Irish Parliament that

> Nothing in its life
> Became it like the leaving it.

'The Irish Parliament, no doubt, professed to be a National Parliament; but, in point of fact, it was just as much a National Parliament as the Church of Ireland is a National Church. The argument of the oath and the question of the Treaty of Union both depend upon the same fallacy—the fallacy of supposing it possible, under any circumstances, to bind all future generations of men to a certain course of policy simply by the use of those two words "for ever." They are very vain and presumptuous words to apply to any construction of man, whether material or moral. They are not for man's use. They are worse than presumptuous;

they are foolish, because they mislead those who can be misled ; they entangle those who can be entangled by such cobwebs ; and they prevent those reforms by which alone there is the slightest chance of anything in this world approximating to duration. The moment you cease to advance, and say, "Here we will stand for ever," from that moment you begin to decay, and to advance rapidly towards your ruin. Those who trust in the words " for ever," and who from a timid superstition forbear to march on in the path of improvement which indicates the life both of nations and individuals, will find that there are two other words, more sad, which have composed the " hic jacet " of many a noble institution, the words " too late."

'Having got rid of some of these preliminary difficulties, such as they are, let us approach the bill itself. The principle of the bill undoubtedly is, that property which was intended not for a single portion of the community alone, but for the whole, and which was intended always, though the original mode of attaining the object we must now regard as very absurd, for the general education and instruction in religion of the whole people of Ireland, shall be taken from those few who now possess it. I do not now pause to inquire whether the synod of Cashel decided anything about tithes, nor into any other subject connected with the origin of these funds. Whatever their origin, they were intended

to be employed for the benefit not of the few but of the many. I have a witness to call with reference to this being a reasonable construction of the Acts relating to the Irish Church—a witness who is usually regarded with a reverence in which I fully share—I mean Bishop Berkeley, who, in his "Querist," puts these two questions:—

'"Is it well to apply to the benefit of the few that which was intended for the benefit of the many? Is it well to attempt to convert a people without understanding the language in which they are to be addressed?"

'He, like most of those who have been conversant with the subject, concluded that it never was, nor could have been, the intention to apply to a small section of the people those endowments upon which reliance was to be placed for the advancement in true religion of the whole.

'But this difficulty arose. In England the Church Catholic reformed itself. It reformed itself, admitting by common consent that process of reformation, which ended in its separation from the Church of Rome; but that was not so much an act on our part of withdrawal from Rome, as an act of Rome choosing to withdraw from us. That was the course of things in the Church of England. But in the Church of Ireland this never was the case. The Church of Ireland never accepted the Reformation; and on this point I differ entirely, as to matter of

fact, from my noble and learned friend who last addressed your lordships. It had forced upon it a course of reformation which it never would adopt, and which it never could be compelled to adopt. But mark the inference which I draw from the strange course of compulsion which was followed. I maintain that every tyrannical act of Henry VIII. and of Elizabeth was founded upon this assumption, that the Church was and ought to be the Church of the *nation*. The Acts of Parliament proceeded on the principle of punishing by fine and imprisonment those who did not attend on the ministrations of the Church. It was therefore intended that the whole nation should be instructed, and it was intended also to bring them all to one mind by fine and imprisonment. It was hoped that, by the adoption of this course, all the nation would have the benefit of these endowments. Henry VIII., indeed, passed his enactments for this specific purpose. Finding that he could not get his measures passed through the medium of Archbishop Browne of Dublin, who was his agent in Ireland, because the proctors of the clergy in Ireland had the privilege of sitting and voting in the House of Commons, it was found absolutely necessary, in order to carry these measures into effect, that the free voice of the clergy should be stopped, and accordingly a statute was passed declaring that the proctors had no right of voting.

Again, the Act of Uniformity was intended for the whole nation. But it was absurd to suppose that the Irish could be converted from their views through the medium of pastors who were ignorant of the native language, and a clause was actually inserted in the Act directing that, in places where the people did not understand English, the services of the Church should be performed in Latin. I only mention this to show again that it was intended that the Church should be the Church of the people, and not the Church of a small minority.'

After commenting upon the scandalous condition of the Church and the clergy in Ireland from century to century, and on the atrocious penal laws which were part of the vain attempt to coerce the people to adopt a religion to which the majority remained antagonistic, he proceeded: 'It was said, I think, by the right rev. prelate, that the Church and the clergy of Ireland were very tolerant in themselves, but were compelled by England to adopt these laws; and the noble marquis who spoke from the other end of the House (the Marquis of Salisbury) said something to the same effect, when he referred to Poyning's Act. But, my lords, I am sorry to say that a table has been published which gives an account of every meeting of the Irish House of Peers from the Revolution to the Union; and that

it was during that period these abominable laws were passed. The table informs us when the spiritual peers were in a majority; and this was frequently the case, and in no instance were they less than one third of the peers present. I am sorry, therefore, I cannot admit that the Church of Ireland did not take part in these proceedings.

'I promised that I would not enter into any historical details that would weary the House; but there is one passage which I wish to read, because it contains sentiments worthy of the man who uttered them. Archbishop King, in a charge which he delivered to his clergy in 1729, says: "If one would observe the state of religion in this kingdom in our own time—that is, since the restoration of the royal family—perhaps it will appear that the Church never gained more true friends than when the civil power gave her doctrine and worship the least encouragement, nor lost more the affections and hearts of her people than when seeming most encouraged." And I believe that this is the true explanation of all the evil which has resulted from an attempt to force and encourage, by State protection, the religion of the minority, and to assert thereby a supremacy which never could have been asserted without the aid of the State. . . .

'I should be most sorry, undoubtedly, to say that at the present day the clergy of Ireland are men of

the stamp and character of those whom I described as existing at the earlier periods of the Church. On the contrary, I think that they have acted in the noblest manner, and have endeavoured, after centuries of misrule and oppression, to secure for themselves a place in the hearts of the people. But it is only within the last forty years that any serious change has taken place; and I am old enough to remember the time when Irish deans and bishops were more likely to be met with at Bath and Cheltenham than in Ireland. . . .

'And then I come to the question whether the Church has a right to continue established in respect of the work which she has done. I have, I hope, proved that, in respect of these endowments, it was the intention that the whole nation should be instructed. Has that duty been done? Has she not in this utterly failed? Has the Protestant proportion to the population increased during the last three centuries? Scarcely a whit. You have still only 700,000 Protestant Episcopalians in a population of 4,500,000. But surely this was not the purpose for which the Church was established, and surely, therefore, her purpose has not been fulfilled. It is, however, said: "You propose to destroy the Church"—which, I contend, cannot be destroyed by any human means—"and to ruin the Protestant religion. You have an undying hostility to it. That is manifested in every page of

the bill, by your leaving us to our own resources at the end of thirteen or fourteen years, and calling on us to do what is done in every colony of the British Empire." My lords, I have been dismayed —I can say nothing less, being a man earnestly devoted to the Church—I have been dismayed to hear several of the right rev. prelates saying: "The Church is lost if you disestablish it. We cannot compete with Rome. See all her advantages; see what influence she has over the people. to which we cannot attain." Is it not miserable to hear such language? If I believed it, I could only reply: "If the Church established in Ireland has become so degenerate by this fostering and protection, as it is called, but which is simply destruction, the more heartily do I concur in this measure." We heard nothing of this kind from the right rev. prelate (the Bishop of Lichfield), who preceded my noble and learned friend. Look at what he has done in his diocese; see how his own colonial bishopric has branched out; see all that has been accomplished by his energy and zeal. It is my delight and joy that the Church of England is heard in all lands, that her words have gone out to the ends of the world. We have heard of the boast which used to be made by the monarchs of Spain, that the sun never set on their dominions. Queen Victoria has a still higher glory, for there is not one hour of the twenty-four

in which the Lord's Prayer is not offered up in the English tongue in some part of the globe. Has that been done by Establishments? Has that been done by endowments?

'I was grieved, my lords, to perceive that the most rev. primate, who delivered so admirable an address on the first night of this debate, seemed to share to some extent in this feeling of despair to which I have referred. Surely, when he spoke of the voluntary system as being everywhere a failure, he must have forgotten what has been done by himself and his predecessors through voluntary contributions for the erection of churches, and increase of spiritual instruction, throughout this metropolis. They by voluntary exertions raised sums of vast magnitude, and erected a great number of churches. The voluntary system in connexion with the Church of England has sent bishops to every quarter of the world. It has sent forty or fifty bishops to the colonies. Everywhere at home and abroad it has enlarged her bounds. The noble earl (the Earl of Derby) told us last night that the Roman Catholic priest forced contributions out of the laity by spiritual power, and that, therefore, the Protestant minister could not cope with him. What a way of talking that is! Some may regard the Irish Roman Catholic as a machine; but I look upon him as a man, and I say that if a priest is able to do what the noble

earl says, the people must of their own will submit to it. If the priest can raise these funds without an Establishment, should not we, of the Reformed Church, be ashamed to say: "We have been maintained by State funds for 300 years; but leave us unsupported, and in a very short time you will find that we are not able to do what the Roman Catholic priests do—sustain and uphold our own position." My lords, I do not believe in such a result. I do not believe that our Church depends upon endowments; I believe that the success of a Church in any quarter of the world must depend on the energy, activity, and zeal of its ministers. A Church which retains its hold upon the affections of its people may indeed be disestablished and disendowed, but its destruction cannot be accomplished in any other way than by losing those affections.

'The question has been raised, how far we have any right to deal with the funds of the Irish Church in the way proposed?—by handing them over for charitable purposes. Now, my lords, if you find property given for the religious instruction of the people, but the people cannot agree as to the mode in which that instruction is to be given, you must take some means of disposing of that property, for purposes as nearly as possible analogous to that for which it was originally intended. I believe that proposition to be just, beyond dispute.

But then it is said: "You not only risk the Establishment in England, but you risk the institution of property altogether." I do not see how such a position can be seriously maintained. The right rev. prelate (the Bishop of Peterborough) said that property was no doubt different when held by individuals from what it was when held by corporations. So far I am thankful to him for having made that admission; it is no more than I had a right to expect from the logical manner in which he conducted his argument. This admission, however, was not made, on a former occasion, by my noble and learned friend who sits on my left (Lord Cairns), who said that when James I. made a grant of the glebes of Ulster, it was to the incumbent and his successors in free alms—that is, subject to certain duties to be performed—and that the tenure is the same as that by which your lordships hold your estates; namely, that of fee simple.

'No doubt that is the case in a certain sense; so far as both are tenures sanctioned by the law. But if the noble lord meant by that statement that your lordships hold your estates on exactly the same tenure as the glebes of Ulster are held, I differ from him entirely; because the latter are held, subject to the performance of certain duties, which, if not performed, would become the subject of proceedings in the Ecclesiastical Courts, whereas your lordships hold your estates under no such condition. But,

further than that, the Ulster glebes are corporate property in the sense in which Hallam uses that term. In drawing a distinction between the constitutional law and the municipal law, and in considering the question as a question of constitutional law, he says that although corporate property is held by exactly the same title as that of individuals, yet the difference in dealing with it is this—that by long habit men have acquired not only the right to transmit to their descendants the property which they possess, but the further right of transmitting it by will: whereas a corporation has no such right; it continually exists for the purposes for which it was formed, and, when these purposes cease, the corporation legitimately comes to an end. That is Mr. Hallam's doctrine, and I fully accede it. Every constitutional lawyer will tell you that you are at liberty to deal with corporate property upon a very different footing from that upon which you can deal with private property. And even under ordinary law the same difference arises between the two classes of property. Thus if you find any property devoted to a charitable use, and the purpose of that use cannot be fulfilled, whether by original defect in the grant, or from the expiration of time, so that the uses have come to an end, in either case the Court of Chancery has power to deal with the property. And very strangely sometimes it has dealt with it. In Lord Hardwicke's time a

Jewish testator disposed of his property for the education of children in the Jewish faith, and, that being an unlawful use, Lord Hardwicke devoted it to a foundling hospital, where the children were educated in the Christian faith. But in Parliament we rise higher than the Court of Chancery in such matters. We come here to enact a measure which is required by the great exigencies of the whole country, and it will not do to tell us that if we were in a Court of Chancery we should be met with the remark that we have still 700,000 members of the corporation left, and that, therefore, we must go on applying the property as before. If that view were to be admitted, it would not much matter whether the number of beneficiaries was 700,000, 700, or 70. It is impossible that such a proposition could be supported for a moment in such a case as this. When you come to a class of property inadequately effecting the purposes for which it is intended, the Legislature has on every occasion dealt with it. I will venture, my lords, to answer the question which the noble lord (Lord Redesdale) put to us in the early part of the discussion—namely, what instances could be given of any parliamentary dealing with corporate property. Now, my lords, I will not go back to the reign of Henry VIII., because I do not much admire the way in which that sovereign dealt with corporate property; and, besides, if we come to treat of tithes, the taking of which the same

noble lord specially referred to as sacrilege (quoting the prophet Malachi for his purpose), I am afraid there are many of your lordships who take a beneficial interest in property which formerly came under that denomination. My ancestors do not mount up to that period of time which would enable me to partake of the bounty of that monarch; but I believe there are many noble lords now in this House who still enjoy the fruits of his liberality.

'But, my lords, without going so far back into history, I may say, in the first place, that Parliament has dealt, and dealt very largely, with the universities. You have applied their property in a very different way from what was its original destination. You have dealt with ecclesiastical property, and you have dealt with it very largely, handing over to the ecclesiastical commissioners large masses of property which were formerly held by deans and chapters. And you have done more than that, for you have applied to Lancashire and Yorkshire funds of which the districts where these deans and chapters resided, including Westminster, formerly had the sole benefit. What have you done in the case of municipal corporations? Why, until the Municipal Corporations Act was passed every corporation was at liberty to deal with its property as it pleased, provided it did not actually put it into the pockets of the individual corporation. By some it was spent in dinners; the Liverpool corporation applied large sums in payment

of the clergy, which was certainly a much better use. But you passed the Corporation Act, and by it you prevented them from dealing with their own property.

'Now what do we do in this case? By the measure now under consideration, we take away property which is corporation property; we do not put it into the pockets of any individuals whatever, but we apply it to general useful purposes, to purposes which the public will accept, instead of those to which unfortunately they cannot be prevailed upon to consent. I apprehend that under these circumstances I have shown the bill to be a just bill, and, being just, that it is also politic, assuming that it is desired; for a just thing may be impolitic if you cannot get the feeling of mankind to go with you. The only remaining point therefore is this: "Is the verdict of the country in favour of this bill?" If there be one thing more surprising than another, it is the various attempts which have been made to negative that verdict; and yet I think there is hardly any question less capable of being argued. Why, at the time of the general election the country was keenly alive to all that had been going on in the late Parliament with reference to the Suspensory Bill; its attention was directed to all the arguments that had been adduced on one side and on the other, and the people, having been lately entrusted with an extended franchise, were all the

more likely to be alive to the exercise of their newly acquired power, especially when it was said both in this House and in the other: "We have referred this subject to the verdict of the country, and by that we will abide." . . . As to disestablishment, it has been admitted by almost every speaker that the country pronounced fully upon that point.

'One word as to disendowment. The right rev. prelate (the Bishop of Peterborough) conceives that the verdict on this point was only partial—that the question of glebe lands and others was not considered by the country. All these, indeed, will form the subject of discussion hereafter; but as to the great and general question whether it is right that this Church property should be any longer applied to its present limited uses, instead of for the benefit of the whole country, he distinctly admitted that the national verdict had been fully and clearly pronounced in favour of disendowment.

'If that be so, what have we to bring forward in support of the second reading of the bill? We have first the existence of injustice, which cannot be denied; we have next the verdict of the country in favour of the course which we proposed: being, therefore, both just and desired by the people, the measure is also politic.

'The last and only remaining point, and the question now before your lordships, is this: whether or not you will assent to the second

reading. . . . I hope that your lordships will agree to the second reading. I am certain you will not be influenced by fear or intimidation; but I will not talk of that—indeed, I think we have had rather too much talk of it already. You will neither be coerced by fear to do that which you choose not to do, nor, as has been already said, will you be actuated by the scarcely less base fear of being thought afraid. But there are certain kinds of fear which may influence you, and justly influence you, as I believe they will do, in the consideration of this question. You will fear to do a discourtesy; you will fear to affront, without any object except to affront; you will fear to commit an injustice which you may do, if, having no definite policy yourselves, you will not consider the provisions of a bill which at least attempts a policy. And, therefore, I hope that, under the influence of those feelings, your lordships will be induced to give this measure a second reading, and, that once being done, that you will come to consider its clauses deliberately and calmly in committee; and that, with such amendments and improvements as in your wisdom you may introduce, you will be able to produce a bill which will be satisfactory in this respect at least —that it will show that all parties in the State concur in a desire to bring about a better feeling and a happier union in a distracted country.

'You heard, my lords, a touching narrative

from the right rev. prelate (the Bishop of Lichfield) of what occurred in New Zealand, where an Irish Roman Catholic offered to a member of the Church of England the shelter of his tent, remarking, after the offer had been accepted: "What would be said if this were seen in Ireland?" The right rev. prelate drew from that a conclusion which, with his logical mind, appeared to me to be a singular one—namely, that there was no harm in Establishment, and no heartburning arising from it. The anecdote seemed to me to supply the answer to that. The incident occurred in New Zealand, where there is no religious Establishment; and the remark of the man was that it would have astonished every one in Ireland, a country where there is such an Establishment. I trust, my lords, that, with the aid of bishops and clergy of the right rev. prelate's own temper and spirit, we may attain there the happy end which he desires to see—men of different creeds living together in peace and charity; and I see nothing in this measure to prevent, but much that is calculated to promote, that result.'

The second reading of the bill was carried by a majority of 33.

It is not necessary, for the purposes of this biography, to trace the gradual progress of the measure through Parliament, except on one occasion when the bill was returned to the Lords after

their amendments had been considered, and for the most part rejected, by the Commons. The debate in the House of Lords on that night, July 20, was a warm one. With the exception of Lord Granville, who introduced the subject, and preserved his accustomed moderation and conciliatory tone, nearly all the principal speakers evinced an unusual degree of vehemence and heat. The indignation of the Lord Chancellor was particularly excited by the personal animosity and want of courtesy displayed towards Mr. Gladstone, and also by the flippant tone in which the appropriation of the surplus revenues to useful and charitable purposes had been alluded to, especially by Lord Salisbury, on several occasions. The Lord Chancellor's speech was probably too spirited to be useful from a party point of view; but none could deny that it contained some well-merited rebukes, powerfully administered, and pointed by one of the most apposite quotations from Shakspeare which it was possible to have made.

He said: 'I must remind the noble earl that we have not yet debated the second question, upon which I, for one, should like to be heard. If your lordships desire that I should go on, I am prepared to do so; but it would probably be more convenient to dispose now of the first of these amendments. I am quite prepared, nay, I am anxious, to say a few words; and it is with great difficulty that

I have restrained myself, at a time which is, to my mind, the most important Constitutional crisis which I have ever recollected. I have been obliged to hear flippant jokes pass for argument; I have been obliged to sit still and hear one of the most eminent men in the country lightly spoken of—a man who has been honoured, not only by being returned to Parliament himself, but by having returned with him, for the support of his views, such a majority as has been unknown in the present century. And we have been told, and it is to go forth through this House to the country, that the amendments of the House of Lords have been rejected by the House of Commons, not as the result of deliberation and grave thought, but solely in consequence of the arrogance of one man. I do not accuse any man of deciding upon any other principle than according to his conscience; but if the majority of your lordships should think it your duty, acting according to your conscience, to reject these amendments, you certainly will be taking a course anything but conciliatory in itself, more especially if you do so upon the ground, which has been recommended for your adoption this evening, that the course taken by the House of Commons did not express the deliberate sense of that assembly, but was a course taken under the dictation of one arrogant man. I come now to the second part of the amendment, the application of

the surplus. This is a great and serious question, and I have a word to say as to the tone in which it has been treated by the same noble marquis who told us the other day that all hollow enthusiasm had ceased on this subject of the application of the surplus. He told us on more than one occasion—nay, on three nights I noticed that in this debate he condescended to make remarks as to the proposed application for the benefit of lunatics—and he said that, after all, if he had to choose he would as soon hand over the surplus to landlords as to lunatics. As the noble earl said, "I can take a joke as well as any man," but there are some subjects that are not to be joked upon; and I do say that the application of funds for the relief mainly of infirm persons, and of lunatics, is not a subject for joking. He who was the greatest master of human nature that ever lived among us, in one of his plays makes the heroine say to her lover, who is described as

> A man replete with words,
> Full of comparisons and wounding flouts,
> Which he on all estates would execute,
> That lay within the mercy of his wit,

that to wean himself of this propensity he must visit a hospital, for

> That's the way to choke a gibing spirit.

Let me tell your lordships what is involved in this matter. In the workhouses of Ireland, where

there ought not to be a single lunatic, there are 2,700 of these miserable beings; and this, at the very same moment that you are spending large sums of money to remove 2,000 lunatics from the workhouses in London, where Parliament has decided that they ought not to stay. The report of the Irish lunatic commissioners—published, I believe, only this week—tells you that 6,500 more of these poor persons are at large, and wholly uncared for. You are told that by this bill you are putting money into the pockets of the landlords, who now pay these charges. The cess is not compulsory with reference to infirmaries beyond a certain fixed amount—some 300*l.* per county. But who are the persons who pay that? There are 334,000 persons rated under 4*l.*, who pay the cess and contribute this money. These, then, are the landlords that you are going to aid. Brought up as I have been mainly in another House, where I gained such Parliamentary experience as I possess, I have been astonished and amazed to hear statements made to-night as to everything being done by a Prime Minister, and by one arrogant man. Such statements as the noble earl on the cross benches made to-night are very similar to those he used a night or two ago, when he told us that if we were men of honour and rightmindedness we should have done so and so. To-night he told us that we were not honest,

that we were not in earnest about wishing to have this preamble passed, and that we had got some sinister design. The noble earl was not present on the former occasion when I spoke; I hope he may be present now when I state that I do not allow the noble earl to be the arbiter of my honour, any more than I constitute myself the arbiter of his. But now, finally, let me say just one single word, and I assure you I say it with the deepest feeling. I do desire most heartily and from my soul to see this great matter settled once and for all, and in a manner which I am sure will conduce to the happiness and peace of that unhappy country, so long divided. I am anxious that we should be able to show an undivided front if assaulted, which we can hardly do at present. As an Englishman and a Churchman I feel also that there is this danger, that among men now-a-days, as of old among the Greeks, there is a feeling that the Cross is foolishness, and, in the pride of intellect, men are despising the humility of love. I want to cherish that feeling of love; and I believe that this measure will do as much to knit into one body of Christians united against their spiritual foes, the professors of various shades of religious opinion, as, by the affection and harmony resulting from the measure, it will enable the State to show a firm front to its external foe. But I shall be denied this gratification if, on the one hand, those who

ought not to despair of the future of the Church talk as if they had no hope of its ever again holding up its head; and if, on the other hand, the subject, great and noble in itself, is treated in a spirit of levity, at the very moment when it is occasioning serious division between the two branches of the Legislature.'

As the disestablishment and disendowment of the Irish Church was a measure of surpassing interest and moment, and the speeches which the Lord Chancellor made in connexion with it were the most important which he uttered in the House of Lords, it seemed desirable to make considerable extracts from them. But it would exceed the scope of this Memoir to review the part which he took, during the remainder of his tenure of office, in conducting the various other measures through the House of Lords which were brought in during Mr. Gladstone's Government, such as the Irish Land Act, the National Education Act, the Ballot Act, the Endowed Schools Bill, and the University Tests Bill.

Neither would it be interesting to the general reader if an attempt were made in these pages to describe the measures of Law Reform which were introduced during his Chancellorship, and for which he was, of course, mainly responsible. It will suffice to say here that he had been a leading member of the Judicature Commission appointed at the instance of Lord Selborne (then Sir Roundell

Palmer), under the Chancellorship of Lord Chelmsford. A reform of the judicature had been recommended by that commission with a view to unite the departments of legal and equitable jurisdiction, which were then separately administered, and to render complete justice attainable in each division of the Supreme Court, without the circuity and multiplicity of procedure which was very commonly necessary.

This end was not accomplished until the Judicature Act was passed in 1873, under the Chancellorship of Lord Selborne; but the measures introduced by Lord Hatherley were advances in this direction, and in the preparation of the Judicature Act Lord Selborne had the benefit of the criticisms which his predecessor's proposals had elicited, as well as of his cordial support in passing it through the House of Lords.

There remains one incident in the Lord Chancellor's career which demands some notice in these pages, inasmuch as it concerned him personally, more nearly than any other member of the Government, and created at the time a considerable amount of excitement, though out of all proportion to its actual importance. This event was the appointment of Sir Robert Collier to a seat on the Judicial Committee of the Privy Council. In the session of 1871 an Act had been passed, intituled 'An Act to make further provision for the despatch

of business by the Judicial Committee of the Privy Council,' the principal object of which was to constitute a Court for hearing appeals from India and the colonies, which had run very much into arrear. In order to secure men of adequate judicial capacity to sit on the committee, it was provided, by the first section of the Act, 'that any persons appointed to act under the provisions of this Act as members of the said Judicial Committee must be specially qualified as follows: that is to say, must, at the date of their appointment, be, or have been, judges of one of Her Majesty's Superior Courts at Westminster, or a Chief Justice of the High Court of Judicature at Fort William in Bengal, or Madras, or Bombay, or of the late Supreme Court of Judicature at Fort William in Bengal.' In the autumn of 1871 it became necessary to fill up a vacant seat on the Judicial Committee in accordance with the provisions of the Act. It was offered to three judges, who declined, principally, as was alleged, on account of the salaries offered to their clerks being insufficient. The Lord Chancellor was about to offer it to a fourth, when he was informed that he also had openly declared his intention of refusing the appointment. The Premier and the Chancellor then agreed in thinking that it would be unseemly to hawk about an office of such dignity any longer. Under these circumstances the Attorney-General, Sir Robert Collier, signified his willingness to under-

take the office. He was eminently fitted to discharge its duties, and might reasonably have claimed a higher judicial appointment had an opportunity occurred. All he needed was the technical qualification, the actual status of a judge required by the statute. This was given him by appointing him for a few days to a vacant puisne judgeship, after which he was transferred to the Judicial Committee.

Such was the transaction. No one could maintain that the appointment was invalid or illegal; no personal and no party end was promoted by it; the only object of the Lord Chancellor was to secure the best judge whom he could get under the circumstances; and he succeeded by this means in obtaining an eminently good one.

Nevertheless, on the basis of this simple proceeding, the opponents of the Government, and some others who were personally not too friendly to Mr. Gladstone and the Chancellor, contrived to build up an imposing fabric of accusations. The Lord Chief Justice (Sir A. Cockburn) took upon himself to publish a letter in the 'Times,' addressed to the Premier, expressing his unqualified condemnation of the transaction, although he had not heard what explanation the authors of it had to offer, and declaring that the Bar was unanimous in its disapprobation; which was not the case, as four out of seven equity judges differed from the view

of the Lord Chief Justice. The Chief Justice of the Common Pleas, however, wrote to the same effect, and a large part of the public press adopted a similar tone of virtuous surprise and indignation. The Premier and the Lord Chancellor were accused of conspiring to evade an Act of Parliament, or to violate an Act of Parliament, not indeed in the letter, but in the spirit, meaning, and intention. It was contended that they had given not a real but only a 'colourable' qualification (whatever that may mean) to their nominee; it was insinuated, if not asserted, that this must have been done to serve some personal or party end; and, in short, the world was delighted to discover that it had got what is commonly called a 'scandal,' to be food for discussion in the newspapers, and for gossip in the clubs. This went on for about three months, as the Lord Chancellor conceived that the only place where he could with propriety be asked to give an explanation of the matter was in the House of Lords, and therefore, until Parliament met in February 1872, he maintained an absolute silence on the subject.

When Parliament did meet, it can hardly be said that he was invited to make an explanation. It would be more true to say that the House of Lords was invited to pass judgment upon the case before the defence had been heard. On February 15 Lord Stanhope rose to move 'that this House has seen with regret the course taken by Govern-

ment in carrying out the provisions of the Act of last session relative to the Judicial Committee of the Privy Council, and is of opinion that the elevation of Sir Robert Collier to the Bench of the Court of Common Pleas, and his transfer to the Judicial Committee, were acts at variance with the spirit and intention of the statute, and of evil example in the exercise of judicial patronage.' He then began a long speech in language as solemn as if he had been charged with the duty of impeaching the Lord Chancellor of high treason. 'Often,' he said, 'as I have addressed your lordships, often as I have addressed the House of Commons while still a member of that assembly, I never rose to speak with so grave a sense of responsibility as now. I feel that this is no common occasion. I stand here to charge the head of the law in this country with having counselled a deliberate evasion of that law. I stand here to charge the Prime Minister of England with this—that at a period when, unhappily, the popular mind is so much unsettled, and obedience to the law is so often called in question, he has set an evil example to all below him—that he has twisted and turned to his own purpose the express words of an Act of Parliament passed by his own Administration. I stand here to urge that the powers of the Crown have been unduly stretched, and the intentions of the Legislature as unduly set aside. These are the charges I make; it will be

for your lordships to decide whether or not I am able to maintain them.' After this solemn exordium Lord Stanhope cited the section of the Act already quoted respecting the qualifications to be required in members of the Judicial Committee, and, closely following the line of argument adopted by the Lord Chief Justice in his letter, he contended that the intention of the Act was to secure men of long judicial experience, and that, 'having settled the qualification for a newly created office, momentarily to invest a party otherwise not qualified with a qualifying office, not that he should hold the latter, but should be transferred to the former, appeared to be nothing less than the manufacture of a qualification not very dissimilar in character from the manufacture of qualifications which had been practised in other instances to evade the law.' This was the sum and substance of the speech, the other charges, or rather complaints, being of a subordinate nature: as that the office should have been offered to more judges; that, in the event of their refusal, the appointment should have been delayed until Parliament could be consulted on the matter; that the letter of the Lord Chief Justice ought to have been answered, and an anxious public not to have been kept waiting in suspense for an explanation of a transaction which had excited so much astonishment and indignation.

Lord Stanhope was followed by Lord Portman in a speech replete with good sense and dry humour. The noble earl had told them how they ought to vote. Well; if they were to regard the question as a party one, he might be right; but if they were to give judgment in accordance with the principles which guided judicial tribunals, they would hear the man whose conduct was arraigned before they decided on condemning him. 'The noble earl is the only man in this House who is pledged to give his judgment against the Government, whether they are guilty or not. I believe the first rule of conduct which ought to guide those who have to deal with a matter of justice, is to hear both sides. That has been the rule in the small tribunal to which, as a country gentleman, I have been accustomed. . . . Evidently, however, that is not the idea of the noble earl, because he has pronounced his decision without having heard anything but what he was able to gather from newspapers and letters. I admit that in acting thus he has followed a great example, because the Lord Chief Justice of England pronounced a condemnatory opinion on this case before he had heard both sides.' Lord Portman proceeded to say that he had himself followed a different course. He had sought an interview with the Lord Chancellor; he had learned from him all the circumstances of the case, and the consequence was that he had now come down to the House prepared to move an

amendment to the resolution proposed by the noble earl. After relating and commenting upon the circumstances which had led to the appointment of Sir R. Collier, he observed: 'In this House it will not be supposed for a moment that the noble and learned lord, in making this appointment, was capable of jobbery; but the terms of the motion may mislead people out of doors. I am old enough to know what used to be called a "job." It consisted in appointing to office not because a man was fit for it, but because he was nearly related to some influential person. Jobs of that description, however, are at an end in the present day. There is another kind of job, which consists in giving a larger official income to a man than he could get in another way. But here you take the Attorney-General and you offer him a place of 5,000*l.* a year; whereas if he had remained in the Court of Common Pleas he would have been entitled to 5,500*l.* a year, and a provision for his clerk. Moreover, as a puisne judge he would have held office by a fixed and permanent tenure; whereas now he is bound to submit to any regulations that may be made by a future Act of Parliament. He concluded by moving his amendment: 'That this House finds no just cause for passing Parliamentary censure on the conduct of the Government in the recent appointment of Sir R. P. Collier to a judgeship of the Court of Common Pleas, and to the Judicial Committee of the Privy Council.'

Lord Salisbury, who followed Lord Portman, contributed no fresh arguments to the case for the prosecution, but delivered a smart fire of sarcastic jests and taunts. 'There were two ways,' he observed, 'of doing business. You may do it as between friends and honourable men; and you may do it as if you were brought into contact with the lower class of attorneys. In the first case you trust to honourable understanding with the person you deal with that the contract will be performed in the spirit in which it was concluded. In the other case, you watch for every quirk to see what advantage can be taken. You stop every gap, you fill up every hole his ingenuity can possibly discover. Hitherto dealings between the Executive Government and Parliament have been of the first order, and not of the second. It would be a matter of profound regret if every time a bill came before the House proposing to invest the Executive Government with power, it was necessary for us to exercise ingenuity to discover by what possible contrivance the Ministry might be able to evade the provisions of the Act they were placing before us.' . . . Whatever might be said of the general exercise of patronage by the Government, its local patronage had been on more than one occasion open to serious censure. 'I am far from willing to impute any improper motive to the Lord Chancellor; I am ready to subscribe to all the

tributes to his public and private character which the noble lord repeated at all the pauses of his speech; but I cannot agree with the noble lord that it is necessary to look back fifty years in order to find instances of jobbery. We have had one or two instances in which the legal patronage of the Government has been exercised, I don't say with impure motive, but with very little regard to the sentiments of the people and the appearance of an honest appointment. We have had the appointment of a County Court judge [Mr. Beales] of whom the public knew nothing, except that at a crisis in party politics he was the ringleader of a successful riot in Hyde Park. I doubt not he may be a learned man, but that was the event in his life which brought him before the public.' The Lord Chancellor here interrupted: 'I shall be obliged if the noble lord can turn his head a little in this direction; I shall be glad to hear these totally new charges.' Lord Salisbury, who had been looking towards the reporters' gallery and away from the woolsack: 'It is rather difficult to act the part of Mr. Facing-both-ways in this House.' He then alluded to the appointment of Mr. Homersham Cox to an office in Wales, alleging that he did not understand the Welsh language; and, after a final denunciation of the appointment of Sir R. P. Collier, concluded by saying: 'These things do not reflect honour upon the constitution of the highest

judicial tribunal of this realm; and to prevent these things happening again, either in our time or in generations to come, it is our duty to visit them with the expression of our displeasure.'

The Duke of Argyll made a straightforward, powerful, hard-hitting speech on behalf of the Government; a curious contrast, in its honest vehemence, to the tone and manner of Lord Westbury, who followed him. His polished periods were 'smoother than oil,' yet intended to be 'very swords.' He concluded a sarcastic address with the well-turned sentence: 'I am sincerely anxious that the Lord Chancellor may succeed in satisfying your lordships that we are in error in condemning this proceeding, for nothing would please me more than that the great reputation of the Lord Chancellor should not be tarnished by any act which you may regard as open to censure.'

After a few words from Lord Romilly, who contended that the intention as well as the letter of the Act had been fulfilled by the appointment of Sir R. Collier, the Lord Chancellor, who had been placed in the singular position of listening like a culprit to the arguments of counsel for his own prosecution and defence, at length enjoyed the opportunity of speaking for himself.

'It is,' he said, 'with much satisfaction that I have at length an opportunity of answering a

question put by one of your lordships, and therefore by one who has a right to ask it. I should have been glad if that question had been put *simpliciter*, without being coupled with a judgment pronounced before the question was answered. But the noble earl who introduced the subject has in this respect only followed the brief he holds—namely, the letter of Sir Alexander Cockburn. That letter adopted the same course. It arrived at conclusions before any inquiry had been made as to facts; and, in the absence of facts of material importance to enable that learned judge to arrive at any conclusion at all, he did arrive at a clear, decisive condemnation of the conduct of the Prime Minister, expressing that opinion in language certainly not of the mildest character, not only once but four separate times, in his letter. I say I am glad that the question has been asked where it ought to be asked. In declining to answer the judgment of a self-constituted censor, the Government were actuated by motives which, I am sure, when I explain them a little more fully, will meet with the approbation of all your lordships. Why, then, did we not answer this letter? My noble and learned friend (Lord Westbury) tells the noble duke that it is an entire mistake to suppose that the letter was a public letter. Although it was addressed to the Prime Minister as a public remonstrance and protest, yet my noble

and learned friend says it was a mere private, friendly letter of warning, couched probably in much the same style as that sometimes employed by my noble and learned friend when he gives advice, and prompted by the same tender and genial feelings. It is true the letter does begin, 'Dear Mr. Gladstone,' and ends with 'Yours faithfully.' There are the lamb's head and tail, but the claws of the wolf are uncommonly apparent between them; and anybody who, reading that letter, can say that it was intended as a private communication, and not as a public protest from a judge and a Privy Councillor, must be labouring under a strange hallucination. We thought the letter ought not to be answered, not because we could not answer it, nor yet because the Lord Chief Justice had taken upon himself to censure and judge the Prime Minister of England without any inquiry into the facts and reasons which had actuated the Prime Minister or myself, but had proceeded at once to indict and convict, with the simple omission that he forgot to cite the accused. Any case, even the great Tichborne case, may soon be settled if the judge assumes the facts, and determines the matter off-hand. This, however, was not our reason for declining to answer the letter. We proceeded on high Constitutional ground. The Lord Chief Justice of England is not the censor of the Prime Minister of England. Ever since

Lord Ellenborough ceased to hold a seat in the Cabinet, I believe it has been universally admitted that the Chief Justice of England had better not interfere with politics at all. But the letter of Sir Alexander Cockburn has placed him in this position—that he is the foundation and origin of this party attack. Everything is traced to him. The whole indictment is founded upon his letter, and there is to be a party vote of want of confidence founded entirely upon this stone thus set a rolling by the Lord Chief Justice. There was, therefore, a high Constitutional ground for declining to answer the letter; and there was another and more personal ground on which I myself acted. The Lord Chief Justice expresses himself, in this letter, with a force, fluency, and eloquence which have often excited my admiration, and which I am far from being able to equal. But when we find what a learned judge has called 'sensational expressions,' such as a 'general burst of indignant condemnation' and other like phrases, I think I was not uncharitable in surmising that the letter was some time or other to reach the press. Now, I think nothing could be more detrimental to the dignity and honour of the Bench than a controversy in the newspapers between the Lord Chancellor and the Lord Chief Justice. I have remained silent under three months of abuse, but had I embarked in such a contro-

versy, whatever might have been the state of our tempers at the beginning, I am by no means so sure that it would have been calm and equable at the close. No doubt the public would have been amused with such a correspondence, and some of the newspapers are very angry because we have not afforded their readers this diversion. But I do not think the honour and dignity of either the Bar or the Bench would have been served had such correspondence been carried on. The dignity of the Bench is best maintained by hearing first all that persons have to say—by keeping yourself on your guard, and forming a covenant, as it were, with yourself to let the matter be fully placed before you, ere you allow yourself even to form an opinion, much less to pronounce a judgment, upon the subject. During the forty-four years I have been at the Bar, and the nineteen I have been on the Bench, I have studied these principles. It is impossible for any man to say of himself that he has always successfully acted on them; but at least I have never lost sight of them. At the Bar I never had an altercation with any human being, and I certainly shall not begin with the Lord Chief Justice in the public newspapers.'

After commenting on the impropriety of the Lord Chief Justice having published his letter upon this subject in the newspapers when he found that

neither Mr. Gladstone nor the Chancellor would be drawn into a correspondence concerning it, he proceeded: 'I think it strange also that this letter should have been taken by the noble earl as his brief in opening his case to-day, and, like the Lord Chief Justice, that he should have followed the same course of attacking before hearing any explanation. I put it to all your lordships whether, in common fairness, after an explanation had been distinctly promised—and I hope you will not think that I am a man to shrink from a promise once given—the proper course would not have been for the noble earl, in the first instance, to have moved for papers. He did move for papers, indeed, for they were necessary to his case; but I think he ought at the same time to have given notice that, in moving for papers, he should ask a question of the noble lord on the woolsack with reference to this appointment, and that according to the answer which was then given he should shape his future course. That would have given me an opportunity of making all the statements which were necessary—the very statements which the noble marquis says they have been asking for. But your lordships all know that, according to the forms of the House, if I had been led on this occasion to make any statement in immediate reply to the noble earl, my mouth would then have been closed. Whatever attacks might have been made,

or whatever misrepresentations might have been conveyed to the minds of your lordships, I should have been prevented from answering them. But, if I had been allowed to make any explanation upon a motion for papers, I should have been prepared—as it was known I should have been prepared—to enter fully into the matter. I complain, therefore, gravely of the course which was taken. It is only now, after being subjected for three months to a great deal of vituperation, that I approach the case itself.

'In the first place, the great strength of our case, and that which makes it difficult for us to understand the point of attack, is this: We had an Act of Parliament, the purport of which was to procure a speedy hearing for those appeals, coming from India, which had run greatly into arrear; and to secure that object we had to appoint judges. Nobody has yet ventured to say that the appointment in question was invalid or illegal; it was in perfect compliance with the terms of the Act, and we will consider its spirit presently. I will not stay now to read the passage; but, by the confession of both the Lords Chief Justices, the judge whom we appointed was admirably fitted, and in every way qualified, for his position. When, therefore, we have appointed to the judicial Bench a man legally qualified for the post, and in every way fitted for the performance of his duties, it does

seem a strange thing that at this time of night, and three months after the transaction, we should be called upon to give explanations of our conduct. But now let me take up the letter of the Lord Chief Justice, because it is the foundation of all the arguments which we have heard here to-night. He says we have violated the spirit of the Act. In other words, confessing that the Act is against him, he says we have violated something which he calls the spirit of the Act. Lord Cranworth used to say —the case in which he laid it down is well known to all my noble and learned friends—that he did not know what was meant by violating the *spirit* of an Act. We either obey the actual words and plain meaning of an Act, or we do not; if we do not obey it, then we break it, but we do not evade it. To talk of evasion is, as Mr. Justice Wills has said, somewhat sensational. In days long gone by, persons were often brought in guilty of treason from a construction which was placed on the spirit of an Act of Parliament. But if you talk of the spirit of an Act of Parliament in this sense, you at once arrive at a state of the law in which the property and the lives of all Her Majesty's subjects must speedily become endangered. So much for violating the spirit of an Act. Now it was of the highest importance that this Court should be speedily provided—by November 2, if possible—for the trial of these appeal cases. The Court was

provided accordingly; it set itself at once to discharge its duties; and I am happy to inform you that, with the assistance of the Lords Justices in the early part of the year, the number of appeals disposed of was exactly double what it was in the year before. Having achieved these results within the terms of the Act of Parliament, we get a long way on; and, for my own part, I thought we did not deserve censure, but some commendation, for what we had done.

'But it is said that the spirit of this Act was to provide judges of experience to decide these cases. Now I undertake to prove to demonstration that, when the bill came back from the Commons, the element of experience which the bill originally contained was struck out. My intention was to give only 1,500*l.* a year to each new judge who was to sit on the Judicial Committee of the Privy Council. This must have had the effect of securing experienced judges, because only those would be likely to take these appointments who were entitled to retire after fifteen years' service on the Bench. The 1,500*l.*, added to the retiring pension of 3,500*l.*, would have given them within 500*l.* of what they were receiving before. The arrangement would have acted in a similar way with regard to Chief Justices from India, who have retiring pensions of about 1,200*l.* a year. But the bill came back from the Commons a totally dif-

ferent measure. The Commons said: "We won't be obliged to take retired Indian judges at all. We will mix up all the judges together, and each judge shall have 5,000*l.* a year." Not a word was said about any standing being necessary. Vice-Chancellor Wickens, a most excellent judge, was only of six months' standing, yet the alterations introduced into the Commons would not have prevented his being appointed. Whenever it is intended that there should be a particular length of service to qualify for an appointment, it is always expressed in the Act. Your lordships are doubtless all aware that one of the ablest members of the Judicial Committee of the Privy Council, the late Lord Kingsdon, was never a judge at any period of his life.' Then, after mentioning the circumstances related above, under which Sir R. Collier was appointed, he proceeded: 'And now suppose that shortly after Sir R. Collier's elevation to the judicial Bench, Lord Chief Justice Bovill's place had become vacant, and suppose Sir R. Collier had desired to succeed him, I should not have had any right to decline to appoint him. I utterly deny that we gave a colourable qualification to Sir R. Collier. He might, if he had so pleased, remained in the Court of Common Pleas all his life; and, indeed, on his appointment he became, under the old Act, *ipso facto* a member of the Judicial Committee. Being in as good a position in every

respect as any of the other judges, he consented to take their leavings, and to accept what they had rejected. Yet this is termed jobbing. All we had promised to our Indian Empire and the colonies was that they should have judges of the same quality and *status*, to try their cases, as we have in England to try ours. *Status*, and not experience, was to be the qualification. As to inquiring of all the judges what their opinions were, I have never in matters of patronage asked any opinion; I have taken the sole responsibility on myself. The noble marquis (Salisbury) brought in two new cases. That of Mr. Beales occurred two and a half years ago. But I am now glad of the opportunity of saying that if there is one thing in my career in which I rejoice, and recollect with pleasure, it is that I did justice to an honest and excellent man. (Cries of "Oh! oh!" and "No!") I have known him from the time he was at college. He was deprived of an income of 700*l.* or 800*l.* a year because he attended that meeting in Hyde Park to which reference has been made, and deprived of it on the ground that, being a revising barrister, he might be suspected of partiality. He had held that office six years, and no one had ever complained of his conduct; only one of his decisions had been reversed, and that only upon a technical point. For the post of which he was deprived he had abandoned business in the Court of Chancery, which

he had always discharged well. The deprivation of office reduced him to ruin, and I thought it only right and just that he should be restored to competence. (Continued cries of "Oh! oh!") When I am doing justice to myself I insist on being heard, and still more shall I insist on being heard when I am doing justice to another. I have heard, from a strongly Conservative clergyman near Wisbech that two strongly Conservative solicitors at Wisbech told him, a month ago, that they had been prejudiced against the appointment when it was made, but that they now confessed that they had never had so good, so well-informed, or so assiduous a County Court judge. The Government were in no way responsible for that particular appointment; but from the first moment that I held the Seals of Office I resolved that I would do that man justice, and I have done it. The other case which has been fished up shows what a party move this is. If notice had been given me, I could have brought letters congratulating me on the appointment of Mr. Homersham Cox, and a long memorial most influentially signed against the appointment to the office of any one speaking the Welsh language.

'I cannot accept the informal motion which has been offered to me in such mellifluous tones. The noble lord accused me of distorting an Act of Parliament for my own purposes. What conceivable

purpose could I have to serve in the appointment of Sir R. Collier? Mr. Gladstone had no wish to part with him. Good nature often leads to a job on behalf of an acquaintance, but I had not the honour of knowing Sir R. Collier personally until I took my present office. This is as clearly a party manœuvre as ever came before Parliament. The public, having before them the eloquent speech of the prosecutor in the letter of the Lord Chief Justice, have arrived at the wrong conclusion. The Bar are very far from unanimous in their construction of the Act. I don't think any member of the Bench, or even of the Opposition in this House, really believes that I have distorted an Act of Parliament for my own purposes. I do not believe that, face to face, either the Lord Chief Justice of the Queen's Bench, or the Lord Chief Justice of the Common Pleas, would say that I had been guilty of a dishonest act; but this is a dishonest act with which I am charged—having distorted an Act of Parliament for my own purposes. If I had done that, I should have been culpable indeed; I should leave my country, and find myself in Australia. But, my lords, I tell you plainly, I will hold my ground; I will not quail till my profession tells me I ought, or at all events until the House of Commons shall censure me for what I have done.'

Such was the vindication of the accused, which

I have quoted at considerable length, not on account of the importance of the subject, but because of the ability, the characteristic dignity, sound sense, and elevated moral tone, especially the generous indignation on behalf of others, by which it is distinguished.

When all the arguments on one side only of a case have been long and diligently worked up, the question becomes prejudged in the minds of many, and speeches on the other side will make but few converts. Earl Stanhope's vote of censure was lost indeed, but only by a majority of two. In the House of Commons, however, a similar vote was rejected by a majority of twenty-seven.

Two ecclesiastical cases of considerable interest and importance came before the Judicial Committee of the Privy Council during the Chancellorship of Lord Hatherley. These were, Hebbert *v.* Purchas, and Shephard *v.* Bennett. Both were appeals from the Court of the Dean of Arches. The first was mainly concerned with the ritual; the second with the doctrine of the Holy Eucharist. Mr. Purchas, the vicar of St. James's, Brighton, was accused of offending against statute law, and constitutions and canons ecclesiastical, by a variety of ceremonial acts, amongst which were included, his standing on the west side of the altar, with his back to the people, and wearing divers vestments, other than the surplice, hood, and stole, during the

celebration of Holy Communion. Mr. Bennett, on the other hand, the vicar of Frome Selwood, was charged with having, in various published writings, maintained doctrines respecting the same sacrament, directly contrary or repugnant to certain articles and formularies of the Church of England. In the former case, judgment was given adversely to the respondent, Mr. Purchas, on every point of importance. In the latter case, judgment was given in favour of Mr. Bennett.

The decision in the Purchas case provoked much warm resentment on the part of a large body of Churchmen; it was denounced as narrow and impolitic, as fixing too rigid an interpretation on rubrics which were confessedly ambiguous; and as restraining, especially in respect of the eastward position of the celebrant, a wholesome liberty which had long been enjoyed by a large number of thoroughly sound and moderate clergy. The judgment in the Bennett case, on the other hand, was generally commended, except by a small section of extreme Evangelicals, as liberal and judicious.

As regards the opinion of the Lord Chancellor upon these cases, it may be remarked, in the first place, that there was no one who more earnestly deprecated such questions being brought into a Court of law at all. Religious *persecutions* he cordially detested; and to religious *prosecutions*,

where it was possible to avoid them, he was on principle opposed. The discussion in a public Court of the sacred matters with which they were concerned, was, to his deeply reverent mind and sensitive delicacy of feeling, shocking and painful in the higest degree. Few but intimate friends could be aware of the distress which he experienced in listening to trials of this nature. He was also, as the readers of these volumes will have seen, much dissatisfied with the constitution of the Court of Final Appeal.

In the second place, the readers of this Memoir at least, will have no difficulty in believing that he endeavoured to approach these cases, like all others, absolutely free from all prejudice and bias. It was a matter of deep regret to him, that in neither suit did the respondent appear, and that the judges were deprived of the advantage of hearing counsel on his behalf.

The difference between the two judgments in character was due, as he maintained, to an essential difference in the nature of the cases themselves. In the case of Mr. Purchas, the question was: 1. Had the respondent committed certain visible acts? 2. Were those acts in conformity with certain rubrical directions? The Court arrived at a distinct conclusion that they were not; and, in the opinion of the Lord Chancellor, it had no alternative but to give judgment accordingly. Considerations of

policy or expediency could not, as he conceived, be legitimately entertained. The business of the Court was simply to ascertain certain facts to the best of its ability, and then to decide according to the facts, quite irrespective of public opinion. And, however much he may have regretted the effect produced by the judgment, he never wavered in his conviction of its soundness, although he read, both before and after it was delivered, a large number of opinions in favour of an opposite view.

In the Bennett case, on the other hand, what the Court had to determine, was, whether certain theological statements, contained in a variety of books, were directly contrary and repugnant to certain articles and formularies of the Church of England. Here was a complicated problem. The Court had to ascertain (and this without the aid of counsel for the respondent), (1) what was the exact meaning of the statements in question; (2) what was the exact meaning of the articles, &c., by which they were to be tested; and then to compare the two, and decide whether they were in opposition. Now the statements were concerned with a deeply mysterious subject—the nature of the Divine Presence in the sacrament of the Holy Eucharist; they were remarkably, not to say culpably, lacking in precision and accuracy, and some of them had been altered in different editions

of the works in which they occurred. Considering, therefore, the obscure nature of the subject, and the latitude of opinion respecting it, which had always been allowed in the Reformed Church of England, and considering also the somewhat vague, vacillating language of the respondent's statements, the Court decided that it was not justified in pronouncing them to be positively contrary to the particular articles by which they were to be tested.

This judgment proceeded on exactly the same principle as that which had guided the Court of Appeal in the celebrated Gorham case, twenty years before. In that judgment it was declared: 'The question which we have to decide, is not whether the opinions [of Mr. Gorham] are theologically sound or unsound, nor whether, upon some of the doctrines comprised in these opinions, other opinions opposite to them may or may not be held, with equal or even greater reason, by other learned and pious ministers of the Church, but whether these opinions now under our consideration are contrary or repugnant to the doctrines which the Church of England, by its articles and formularies and rubrics, requires to be held by its ministers, so that upon the ground of those opinions the appellant can lawfully be excluded from his benefice.' The Court, on that occasion, held that though the opinions of Mr. Gorham on the sacrament of Holy

Baptism might not be in harmony with the mind of a large party in the Church, or of the most distinguished exponents of her teaching, nevertheless they were not so directly and plainly contrary to the teaching of the formularies with which they were compared by the Court as to justify it in excluding Mr. Gorham from his benefice.

In like manner, in the Bennett case, the Court decided that though many of the statements made by the respondent were 'rash and ill-advised and perilously near a violation of the law,' yet they were not 'so plainly repugnant to the articles and formularies as to call for judicial condemnation, or to forbid the construction in his favour of every reasonable doubt.'

Thus the Bennett judgment may be regarded as the counterpart of the Gorham judgment. Both proceeded upon the same liberal or, as some might call it, latitudinarian principle: by the Gorham judgment a low Churchman, holding very low views on the sacrament of Holy Baptism, was admitted to a benefice; by the Bennett judgment a high Churchman, holding very high opinions upon the sacrament of Holy Communion, was permitted to remain undisturbed in a benefice which he had long held, and in which he had most diligently laboured.

The Bennett judgment, which was delivered on June 8, 1872, was read by the Archbishop of York,

at the request of the Lord Chancellor, because, as the latter said, his own infirmity of sight rendered prolonged reading painful to him. He had, in fact, long been contending with great inconvenience arising from defective eyesight. All through his life he had been dependent on one eye only; the other was what oculists term a 'conical' eye, which, owing to undue convexity, was so excessively near-sighted as to be practically useless. And, unknown to him, a cataract had been for many years forming upon his good eye. The heavy additional strain which his duties as Chancellor put upon his eyesight probably quickened the progress of the disease. Nevertheless, he fought on with indomitable perseverance and cheerfulness against his daily increasing infirmity, until his inability to read the Queen's Message, and other official documents in the House, convinced him that, in the interests of public business, he ought not to protract the struggle. Accordingly, about Michaelmas 1872, he resigned his office, which was conferred upon Sir Roundell Palmer; and after paying a visit with Lady Hatherley to Balmoral, where Her Majesty extended such warm kindness and such tender sympathy to them as deeply touched their hearts, he returned to London, where, early in the following spring, his eye was operated upon by Mr. Bowman. During the dreary months of enforced inactivity and growing darkness, he was a bright

and beautiful picture of Christian contentment, serenity, and patience, which few could look upon without being the better for it. He made some progress in learning to read by fingering the raised type made for the use of the blind, and took much interest in visiting institutions for the blind, and in aiding them by his benefactions. The operation was most skilfully performed, it is needless to say, by Mr. Bowman, and was completely successful; but, as he had not another eye in reserve, he was counselled to be prudent in the use of his restored sight; and, in fact, an eye which has been operated on for cataract, however successfully, never can be quite as serviceable as one which has always been healthy, for, the natural lens being removed, its place has to be supplied by artificial means. Meanwhile, too, the assiduity of his anxious and loving wife for many years, in reading and writing for him, had brought on an incurable disease in her own eyes of which the sight had been originally excellent. Nothing could be more edifying than to witness the humble resignation of the devoted pair under this fresh trial; nothing more affecting than to watch the endeavours of each to spare or to assist the imperfect vision of the other.

From this time, consequently, Lord Hatherley's inclination was gradually to withdraw more and more from public life, although he never shrank from any work which he conceived to be his duty.

He supported the second reading of the Judicature Bill, prepared by his successor Lord Selborne, in a speech described by a leading journal as one which was 'as free from jealousy as it was replete with power.' And he continued to sit on appeal cases in the House of Lords, whenever his presence was required.

After he became Lord Chancellor the letters to his old friend, Dean Hook, were comparatively rare and short; partly owing to the enormous amount of correspondence in which the duties of his office involved him, and partly owing to his infirmity of sight.

A few extracts from them are introduced here.

To the Dean of Chichester.

October 1869.

. . . You talk of people regarding you as one 'that cumbereth the ground.' I suppose that all younger people (without saying it), begin to think us at seventy (and I have entered that year), as ready to be put aside to make room for them. I do not remember ever to have felt this myself, but still I often see that it exists. So far, however, from thinking them wrong, I really rather sympathise with them, and feel rather like the late Sir Thomas Lennard, who, at ninety-three, used to say to his son aged seventy (who did not live to

succeed him): 'Really, Tom, it is too bad of me to live so long!' to which Tom would dutifully reply: 'I beg, sir, you will not mention it.' They were polite men of the old school. I certainly feel inclined to apologise to Roundell Palmer and others for blocking the way; but it will not be for long.

You will be glad to learn that my sight, about which I consulted Bowman the day before we left town, has been much benefited by putting a little belladonna in the eye night and morning. The pupil was too small. I began seriously to doubt whether I should not have to resign, on account of the difficulty of reading things in the House of Lords; but can now see as well as I have ever done—since I was sixty, at least.

To the same.

March 15, 1872.

See! I am writing my best in return for yours; but I do not complain of your writing, but of your omission of letters, as 'smn.' for 'sermon.'

I send this line to wish you, or rather to tell you that I *have* wished you, all such happiness [1] as we, who are declining in the vale of years, can yet be permitted to enjoy, 'before we go hence and be no more seen.'

I read your dear departed saint's words every

[1] The Dean's birthday was March 13.

day,[1] when it is not very dark, in the early morning. I read, too, every day out of her Testament, which you gave me, and use her marker on which is worked, 'Casting all your care upon Him, for He careth for you.'

I cannot but long for rest; but often think of your old saying in Dean's Yard, 'When you have no more to do, you will die,' and so I work on. We both look forward to joining you on Easter Eve, and hope to stay over the Tuesday. May God grant us His comfort!

To the same.

London: July 17, 1874.

. . . I long to have a *coze* with you, my dearest old friend. And old friends are very dear, as relatives and old associates of our boyish days are one by one removed from us. I feel this very much when a little leisure occurs in the bustle of a still busy life, and very keenly did I feel it, when for a time shut out from reading and society. Now again I am at work, having for fifteen weeks attended the sittings of the House of Lords, on appeals, four days in the week, to say nothing of preparing judgments. I am thankful that Charlotte, too, is equal to her work, and she has

[1] *Meditations for every Day in the Year*, written by Mrs. Hook. She died May 5, 1871.

much of it. Her eyes are not seriously worse, though they will never be better. My appeal work finishes this week; but I have much private business to settle, and several little private references of people's disputes, whom it is a charity to bring together.

I can always manage to get to the Abbey three times a week at the early service, and three times at 10 o'clock, for on Mondays the House of Lords meets at 11, and I have just time to get there after the service. Music does help me very much, and the glorious beauty of the Abbey yet more. And then, too, you are always in our minds there. I say *our*, for Charlotte thinks very constantly of you. Oh! that we may all join in everlasting praise with all our dear departed ones, and the great Hierarchy above!

Red House Park, Ipswich: August 6, 1875.

I have been rather idle in not writing before; but we have had a thorough honey week all by ourselves, which we have not enjoyed since January last. The other day we drove to the church where we were married. It is only three miles from this. To-day we have just finished our reading of the Bible through together for the forty-fourth time. In my old age I begin so immensely to prefer the Bible to all good books of what kind soever. It is always new—at least one

always finds something new that escaped one's observation at the last reading; and how wonderfully independent it is of a various reading here, or a mistaken translation there, being the whole that it is, a living whole, that is and will be 'Spirit and Life,' till time shall be no more! 'Thy word, O Lord, endureth for ever in heaven!'

How we did enjoy our visit to Chichester! The Canon's Lane seemed to lead to a quiet paradise out of the jostling world. May it be a type of our future intercourse, since that on earth must be near its close! I feel how much I have to answer for in such a friend and such a wife as I have been blessed with; and then the infinite mercy of having One to answer for me in that day when I must be dumb with confusion!

Red House Park, Ipswich:[1] October 11, 1875.

My dearest Friend,—I have congratulated Willy, but feel a line of hearty sympathy due to you also on the safe arrival of your granddaughter and my great-niece. This tie between us is always a subject of happy thought, though we have always ourselves been as much united as any beings, save husband and wife, can be.

[1] This letter was written nine days before the death of Dean Hook. The first part refers to the birth of a great-niece (the second daughter of the editor of these pages), and then alludes to the Dean's illness, which had not yet assumed an alarming aspect.

I hope that by this time your bilious attack has been driven from the field, and that your colour, which I heard had assumed rather a yellow hue, has been restored to its natural state.

We begin to look out for 'Laud.'[1] It will be pleasant winter reading. At present we have had so much company, that we have enjoyed but scant leisure for study. We have, however, just read a book by G. Smith, of the British Museum, on Assyrian inscriptions, which is very curious, and *seems* genuine. I mean that I am never quite satisfied of the correctness of readings in a language which scarcely any one but the writer can read, or, when he has read, translate. But the translation from the Greek fragments of Berosus seems to give me some confidence that the readings are correct. The most interesting part to me is the extravagant mythology from which Abraham was specially called to flee; and the contrast between such mythology and the pure simplicity of belief in the one God, to whom Abraham listened, and which no descendant of Abraham has wholly lost. The tradition of a flood, including the incidents of the dove and the raven, are so close, that one becomes convinced that Moses was gifted with a special power of handing on the true tradition and separating it from the false.

[1] The 'Life of Laud' in the Dean's series of the *Lives of the Primates*. It was then in the press, and was published soon after his death.

What a period of turmoil seems to be impending over us—the ultramontane profanity, the religious infidelity of a set of noisy young writers, millions of men in arms, the breaking up of the Turkish Empire! Even one without children can feel for the next generation; but all this will hasten His kingdom, and make us pray for the peace that the Prince of Peace alone can give. What a comfort there is in the promise that our sins will be 'remembered no more'! Wholly forgotten! as the Father in the Parable would not let his obedient child even remember the sins of his poor profligate brother, who had been dead, but was alive again. Otherwise, how could we look hopefully to the end? but 'I have blotted out as a cloud thy transgressions . . .'

The loss of his old and deeply beloved friend, which occurred nine days after the writing of this letter, was the heaviest blow, save one, which he was destined to bear, though softened by the thought that the separation could not be for very long. As their contemporary friends one by one dropped off around him and his wife, and preceded them to 'that unknown and silent shore,' and as the sense of their own increasing age and infirmities grew upon them, they gradually withdrew more from the world. They took more and more pleasure in the quiet retirement of the house

which they rented in Suffolk, the Red House Park, near Ipswich. Here in the neighbourhood of his brother-in-law, the Rev. Edward Moor, rector of Great Bealings, to whom he was most warmly attached, and amidst scenes which were dear to him from the associations of childhood and youth, he spent the greater part of the summer, besides making a shorter sojourn at Christmas, and as time went on these visits to the country house were more frequent and more prolonged. In consequence of these longer absences from town, he and Lady Hatherley deemed it right, in the beginning of the year 1877, formally and finally to resign their posts as Sunday school teachers in Westminster. Their intention was announced in the following touching letter to Archdeacon Jennings:—

To the Venerable Archdeacon Jennings.

31 Great George Street: January 22, 1877.

My dear Friend,—There is a 'time for all things;' and my wife and I have come to the conclusion, though not without reluctance, that it is time for us to terminate our long and pleasing duties at the Sunday school. Upwards of forty years have passed since we commenced our work there, and our first pupils have in some cases seen their children pass through our hands, and probably the grandchildren are nearly ready to follow them.

It is better that these should be instructed by a younger generation of teachers.

Next to the pleasure of having been allowed the privilege of doing something, however small, to our Lord's honour and glory, we may reckon the close contact into which that duty brought us with yourself; but of this I will say no more; you well know the value we have always set upon your friendship.

Amongst other reasons for selecting this time for withdrawal, I may mention that we (if spared), shall now always prolong our stay in the country beyond what was formerly the case. My wife's defective eyesight also prevents her reading; and, whilst this impairs her teaching power, it keeps me also from the school, for I do not like to leave her alone so long on the Sunday morning. I have not been there since my return home, for I do not wish to make a ceremony of withdrawing.

With all good wishes for the prosperity of the school (one of your first works in the parish), and of all concerned in giving or receiving instruction there, believe me, with our united regards, yours most sincerely.

By the middle of the year 1878 Lord Hatherley's nearest relatives, his two brothers, and both his sisters, as well as his most intimate friend, had been taken from this world; but, as yet, one cherished life was spared to him which was dearer

than all the rest. The love which existed between him and his wife seemed to transcend the ordinary love of husband and wife almost as much as his friendship with Dr. Hook exceeded ordinary friendship. It was a profound and absolute devotion on the part of each to the other. In warmth of affection, and in depth and fervour of religious feeling, she was his equal; and, although not endowed with such singular intellectual capacity as his, she had a mind thoroughly able to appreciate his powers, and sympathise with all his interests. And, in respect of one mental faculty at least, she was able to supply his deficiency. His memory was not so retentive of words as of facts. She, on the other hand, was gifted with an uncommon memory for words; she had a large store of poetry at her command, and could often assist his memory, when it was at fault, in recollecting a passage, or in recalling the exact words of a conversation. She knew the whole of the Psalter by heart, according to the Prayer-book version, and was consequently able, when her eyesight failed, to repeat the alternate verses, either at church or in the daily readings with her husband. She had also an excellent memory for faces and names, and was exceedingly skilful and methodical in all those arts of household management which conduce so much to the comfort of a hard-worked professional man. Besides her joint labours with Lord

Hatherley in the Sunday school, and other good works in which they had a common interest, in Westminster, Ipswich, and elsewhere, she took an active part, on her own account, in a variety of charitable institutions, more especially the Parochial Mission Women's Society; she paid regular visits to the Westminster Hospital, and out of her own private means relieved a large number of poor to an extent known to very few; and even Lord Hatherley himself, who desired all her charities to be carried on after her death, without any alteration, was astonished to find how numerous they were. She was in an uncommon degree as eyes and hands to her husband. His eyesight was at all times somewhat slow and confused, while hers, until it became impaired, was amazingly quick and keen; he wrote an exceedingly bad hand, and was more or less clumsy in all operations requiring manual dexterity, while her handwriting was a model of clearness and neatness, and in all other ways she had remarkable deftness of finger.

Knowing how dependent he was upon her, not only for his general happiness, but for his daily comfort in a thousand little ways, she hoped, and even prayed, in her unselfish love for him, that it might please God to take him away from her, rather than to take herself away from him. But it was otherwise ordered; and in November 1878, after a short but painful illness, during which she always tried

to conceal her suffering, as much as possible, for his sake, she, who for nearly fifty years had more than doubled all his joys, and lightened the burden of all his sorrows, was taken from his side. She was laid to rest in the churchyard at Great Bealings, in Suffolk, hard by the house of her brother, the rector of the parish, with whom she and her husband had been wont for so many years to spend their happy Christmas vacations, and other seasons of retirement, and not far from the home where nearly half a century before he had received her as his bride. As with fortitude and patience he had toiled and waited in his youth, until he could ask her to become his own, so now, in his old age, with equal fortitude and patience did he struggle on, until the welcome summons came to follow her spirit to the other world. 'I am contented and even happy,' he would say; 'but I am like a schoolboy, counting the days to the time when the holidays will begin.'

The beautiful Latin couplet which the present Bishop of St. Andrews wrote after the death of his wife at Winchester, might well serve for a motto descriptive of the spirit in which Lord Hatherley bore his loss.

> I, nimium dilecta, vocat Deus; i, bona nostræ
> Pars animæ, mœrens altera disce sequi.

It is hardly possible, indeed, to estimate what the anguish of parting was to him, or the depth of

the wound in that lacerated heart; yet there was never anything morbid in his grief. He endeavoured as soon as possible to resume some of his ordinary occupations and habits, being especially anxious that his own sorrow should not cast any gloom over the lives of others, especially of the young relatives, nephews and nieces, who came in turns to stay with him, and relieve his loneliness. His habitual power also of fixing his whole mind upon any subject immediately before him, enabled him, for brief intervals, in a manner to forget his loss, though the sense of it returned with perhaps all the greater force when the special demand which had been made on his attention ceased.

The spirit of meekness and resignation, of faith, hope, and love, with which he bore his affliction, is clearly reflected in the letters from which the following extracts are taken; but, as a remarkable instance of the way in which he sought to turn his trial to the good of other souls, as well as of his own, it may be mentioned that, on the evening of the day on which his wife was laid to rest, he assembled his household, and addressed to them some words of loving counsel on their religious duties, especially respecting attendance at Holy Communion, in which he feared some of them were negligent. 'I thought it right,' he said, 'to take the opportunity of speaking to them, when their hearts might be more than usually open to

influence, and, though I doubted whether I should be able, God strengthened me to do it.'

In a letter written November 23, 1878, a few days after the death of Lady Hatherley, to the wife of his old friend and former secretary, Mr. Gordon Whitbread, he says: 'I am thankful to say that I have been withheld from even *thinking* that the blow was not needed, and most mercifully ordered for us both.' And a few days after the funeral he writes: 'I trust Gordon is not the worse for that day, so trying to us all; yet, happily, in spirit most comforting. . . . I feel wonderfully supported, the better because, with dear Edward,[1] I can talk as if she were listening; but the hard world must be encountered again; nevertheless, I shall encounter it with a deeper conviction than ever of the undercurrent of love beneath all that hardness. The many genuine outpourings of love I have met with ought to make me acknowledge this, and I know the necessity of subduing in this life too vehement emotional expression; for it seems to come forth very gladly and heartily at fitting seasons.'

Of the two following letters, the first was written, the day after his wife's death, to his old friend Archdeacon Jennings; the second, rather more than a year afterwards, to the editor of these pages.

[1] His brother-in-law, the Rev. Edward Moor.

Red House Park: November 21, 1878.

My dear Friend,—What can I say? You will know all, who have known us from our first living in Westminster. God be thanked for sparing her the pain of living without me, and may He teach me so to live to Him that I may live with her in the spirit, through the precious death of His dear Son! I cannot write more. I have just written to Canon Farrar in answer to some kind questions of his, and am tired.

You will be glad to hear Edward Moor was with *us*, and is now with *me*. Your sorrowing friend, but with hope ever in our Father's love.

Red House Park: December 30, 1879.

My dearest Willy,—I received your affectionate letter at Bealings. I am thankful to say that I *am*[1] greatly, undeservedly supported, in the midst of the strange memories around me; but who can deserve all that was done at this season for our help? My remaining days must be few here; my sorrows have been those common to all; my blessings far beyond the common lot of humanity; and I am now made so to feel the need of help as to acknowledge, more than heretofore, the joy and blessedness of pardon leading to peace. I was brought nearer to my Saviour by joy, but needed grief to wean me

[1] The reference is to some allusion which I had made in my letter to the events of the Christmas season as a source of consolation.

from earthly joy, and to make me rest on that which must be purified by suffering.

I trust that you and yours may be blessed for many years to glorify God by serving Him faithfully, amidst the recollections, renewed from season to season, of His creative, redeeming, and sanctifying work; and most thankful am I for the many seasons in which our Church bears the needs of her children in mind, so that we may not rest here, but prepare for a blessed rest hereafter.

There was not any one who could constantly reside with Lord Hatherley after his wife's death; yet he was rarely alone for many days together. There were, of course, many relatives and friends who were glad to have the privilege of bearing him company for as long a time as they could spare from other avocations; ministering, as wel as they were able, to his comfort, and receiving an abundant return in his affectionate gratitude, and the charms of his society. In London, also, there were many friends who could frequently call upon him, while his nephew, Mr. Maddy, visited him almost daily, either before or after his own professional labours, and gradually, as his uncle's eyesight grew worse, acted in a great measure as his private secretary. Nevertheless, Lord Hatherley clung very tenaciously to all old habits of independence; he still read and wrote as much as he could for

himself, and took part, as often as he was able, in the judicial work of the House of Lords. He adhered most strictly to all customs and habits of life in which his wife had been associated with him, especially making a point of dividing the year in exactly the same proportions as before between his sojourn in the country and in town; and it was probably the great effort which he made to go into the country on the last occasion on which he visited it that hastened his end. It was observable that, in speaking of his intended movements or other plans, he always used the first person plural, saying, '*We* shall do this or that,' exactly as if his wife had still been living.

For some time after his bereavement his health did not seem to be seriously impaired, and although his step lost its old elasticity, this was probably owing more to lack of spirit than of power. But in the course of the year 1880 he suffered much from an internal malady, and his strength visibly diminished; he slept ill at night, but much by day, and, on first waking up from a doze, had such extraordinary difficulty in seeing his way about the room as seemed to indicate some coming weakness of brain, as well as dimness of sight.

In the summer of 1881 he paid a short visit to the country house in Suffolk, as was his custom at Whitsuntide; but the journey to Ipswich and back to London was attended with an uncommon degree

of pain and fatigue. Nevertheless, there did not seem to be any immediate cause for alarm; and the writer of these pages was spending his holiday in Switzerland, without any misgivings, when he was recalled to England by the news that the end had come.

On Monday, July 4, Lord Hatherley's nephew, the Rev. F. J. Wood, had arrived in town from Leeds, in response to an urgent letter dictated from his uncle, who said that he felt ill, and wished very much to see him. On Mr. Wood's arrival, he found that one special reason of the summons was his uncle's anxiety to receive the Holy Communion, which his nephew had once before privately administered to him. He named the persons who were to receive it with him, being his cousin Miss Lynn, to whom he was much attached, and who was then staying in the house, and the wife of his old friend, Mr. Gordon Whitbread. On going to his room the following morning, Mr. Wood found him sitting up and saying, 'I am quite ready,' although there had not been time to make the necessary arrangements. By a strange coincidence, however, Mrs. Whitbread called at that very moment, and so his wish to receive the Holy Sacrament without any delay was complied with. He joined in the service throughout, at times with deep emotion, and would have tried to kneel, had he not been prevented. When his nephew returned to

him about half an hour afterwards, and asked him if he had derived comfort from the service, he replied, 'Yes! but one feels so unworthy, and it is a hard struggle;' and then he presently added, 'but I reflect much upon the words, "When the enemy shall come in like a flood, the Spirit of the Lord shall lift up a standard against him."'[1] This was the only reference which he made, during his illness, to his inward condition of thought and feeling.

Sir James Paget, who saw him that day, said that he might continue to live for several months, unless there should be a recurrence of a kind of fit with which his illness had begun. Such a fit did occur on the evening of the following day (Wednesday), after which he lay in his bed nearly motionless, and for the most part unconscious, with the exception of once repeating half the Lord's Prayer after his nephew, and once appearing for a few moments to recognise Mr. Gordon Whitbread. The end came at a quarter past two on Sunday morning, and was so gradual and quiet that those who were watching him hardly knew when the last sigh was drawn.

The Dean of Westminster remarked, when he heard of Lord Hatherley's death, that he felt 'as if a pillar of the Abbey had fallen.' The image forcibly and truly represented the vivid sense of loss,—the loss as of a great support which

[1] Isaiah lix. 19.

that death caused to most of the inhabitants of Westminster. And, by a strange and sad coincidence, he who had made the remark was also himself about to be laid low. The day after Lord Hatherley's death, Dean Stanley, being ill in bed, sent for Mr. Wood, and expressed a hope that his uncle might be buried in the Abbey; but, on hearing that Lord Hatherley's will contained an express direction that he should rest in the country churchyard by the side of his wife's remains, he only requested that the first part of the service should be performed in the Abbey. Two days later, on Wednesday the 13th, he sent again for Mr. Wood, and asked him some questions about Lord Hatherley's life and death, with a view to the sermon which he said he hoped to preach in the Abbey on the following Sunday. A few rough notes, which he then scrawled upon a little scrap of paper, were the preparation for what would probably have been not the least interesting of those memorial sermons upon distinguished men, in the composition of which the Dean excelled. But when the Sunday came on which it should have been preached, he was standing on the brink of the dark river of death, and, on the morrow, that eloquent voice was silenced, and that kindly heart had ceased to beat.

Thus he who might be called, in a peculiar sense, the central column of the Abbey, and

another whom he had himself likened to one of its main pillars, fell together ; and it is no injustice to any other good and distinguished men who may now, or shall hereafter, be connected with the Abbey and City of Westminster, to say that the peculiar place which these two occupied can never be exactly filled again.

The beginning of the funeral service was performed, according to the Dean's suggestion, in the Abbey. The body was taken to the Chapel of St. Faith in the cloisters on the night of Thursday, July 14, and on the following morning was borne into the Abbey, followed by the mourners, and preceded by some members of the chapter, and the choir singing the sentences. Never, surely, were the two beautiful anthems which followed—'When the ear heard him, then it blessed him,' and 'Blest are the departed,' sung over the remains of any one to whom they were more truly applicable. The body was borne out through the north transept —the same transept through which, for half a century, he had passed to and from the act of worship with which he prepared for the labours of each day. Certainly no one had a better claim to find his last resting place, and his enduring monument, within the walls of the great Abbey than he who for so many years had delighted to offer up his daily devotions there, and felt his spirit elevated by the sublime beauty of the building. Nor was

any one more worthy than he to lie in that great national sanctuary, the receptacle of those who have, in one way or another, deserved well of their country; for a more high-minded servant of the State never lived, and a more patriotic heart never beat. Nevertheless, it was still more fitting that in death he should rest by the side of one who in life had been his light and joy, and whose heart had been knit to his by the bands of a love rarely equalled even between man and wife; and, after all, perhaps, the humble country churchyard was more in harmony than the august Abbey with his modest and lowly disposition.

The service at the grave was divided amongst his three nephews—the Rev. F. J. Wood, Vicar of Headingley, Leeds; the Rev. H. W. Maddy, Rector of Hatherley; and the writer of these pages. As in the Abbey, so in the country churchyard, there was a large concourse of high and low, rich and poor, all wishing to pay their last mark of respect, or gratitude, or affection, for him whom none could know without either esteem or love.

On the day after Lord Hatherley's death, the Lord Chancellor, Lord Selborne, referred to his predecessor in the following speech in the House of Lords; and seldom has a truer and more eloquent tribute been offered by one good and able man to the character of another:—

'Since your lordships last met, the House has

been deprived of one of its greatest ornaments, and one of its most distinguished and honoured members. I have some difficulty in endeavouring to do justice to my own sense of the loss which this House has sustained, because I lived on terms of close intimacy for not less, I think, than forty years with the eminent man who now, in an honoured old age, has been taken from us; and personal affection at once makes me sensible of the difficulty of doing justice, in the few words which I shall address to your lordships, to his admirable qualities; at the same time I am most desirous not to fail in expressing, in some measure at all events, the feeling which I think all your lordships must have on the subject of his loss. My lords, Lord Hatherley was a man who, I believe, from his earliest years lived a life of as much purity and as much diligence in doing his duty, in every grade of the profession, and public stations which he was called upon to fill—I think he had as much purity and simplicity of character, as much thorough conscientiousness, as much energy and as sound judgment as, taking into account the infirmity of man, any of us could hope to attain to. My lords, from that intimate knowledge which I had of him, and which, as I have said, lasted for forty years, I may even go further. There are not a few men of whom one would say that, as far as one may presume to judge from public and outward

signs of character, one looks upon them as examples to be held up for imitation by other men; but of him I would presume even to say that I am sure that judgment cannot be mistaken. Most men, looking back to their earliest life, must be sensible of many faults and errors, known to themselves if not known to others. Certainly his modesty never would have permitted him to claim to be more free from faults and errors than other men, and yet I do verily believe that, such as he appeared outwardly to others, he was from his earliest years inwardly in himself. A man of the most remarkable gentleness and sweetness of character, and at the same time of firmness and decision, which never quailed or failed before the performance of any duty, and which enabled him, in all the different posts he was called upon to fill, to fill them to the admiration of all who were able to observe his career, he was as little ambitious of personal distinction as any man so distinguished whom I have ever known. It might be truly said of him that he was not one of those

> who stoop, or lie in wait
> For wealth, for honours, or for worldly state;

but was one

> Whom they must follow, on whose head must fall,
> Like showers of manna, if they come at all.

Yet come they do, and it is well for this country that such qualities should be appreciated as

they deserve. He was called in due time to a distinguished place on the Bench of justice, first as Vice-Chancellor, afterwards as Lord Justice, and then he was called to shed lustre upon the office in which, when I think of him, I feel more than ever my own unworthiness to succeed him. He was called to the great office of Lord Chancellor, and he carried himself so meekly in the discharge of his public duties, so diligently and so zealously supported every measure which, according to his judgment, was for the benefit of the country and for the advancement of liberty and justice, that, when from failing health, or rather failing eyesight, after four years' sitting in this place, and presiding over your lordships' deliberations, he was compelled to relinquish that office, he carried with him into private life as large a share of esteem and respect as ever fell to the lot of any predecessor of his in that exalted position—as large as any who may be called upon hereafter to succeed him can possibly hope to obtain. Nor did he, even when his eyesight was partially destroyed, cease to labour in the public service to the public advantage, for still as a judge he discharged his duties in your lordships' House with sound, accurate, and extensive knowledge of the law, that calm, equal, and dispassionate judgment, that desire to do justice, which rendered him incapable of being biassed by any other feeling than had previously distinguished him throughout

his judicial career. And even when the heaviest calamity which could fall upon him, or upon any other of your lordships who may be blessed with domestic happiness, as he had been for a very long time, fell upon him—a calamity which bowed him down with sorrow in his old age and from which undoubtedly he never recovered—still, as long as strength and health remained, he continued to lend aid to the discharge of the duties of your lordships' House. My lords, I feel how inadequate are the words I have used to express all the value of such a man to the country to which he belonged, to the House of which he was an ornament, to the profession in which he laboured and in which he rose, and, I will say, to the Christian society, to the Church of which he was one of the most faithful members, though he always found it consistent with his attachment to the Church of England and to its principles to be foremost in the application of the great principles of religious liberty upon every occasion on which they could possibly come in question. My lords, I will only say that I hope your lordships will pardon the inadequacy of the expression I have endeavoured to give to the feelings which I am sure you all share, and believe me that what I have said comes thoroughly from the heart.'

After the Lord Chancellor, Lord Cairns and Lord Granville spoke as follows:—

Earl Cairns: 'My lords, all that my noble and

learned friend has said, all that he could say in praise and admiration of him who has been taken away from us, will, I am sure, in this House, find a response from every one of your lordships. It has been my lot to have had a long acquaintance with Lord Hatherley. I well recollect the kindness which as a young man I received from him, and I can bear witness, from personal observation, to the manner in which for many years, as one of the primary judges of the Court of Chancery, he discharged the duties of that important office. His subsequent life has been in the eyes of every one of your lordships, and it is not too much to say that as a judge, as a Christian, as a gentleman, and as a man. this country has not seen and probably will not see any one who is his superior.'

Earl Granville: 'It is certainly not necessary for me to add anything to the eulogies which have been passed by the two noble and learned lords upon one who was so great an honour to this House and to the country, but perhaps your lordships will excuse me if I add one single word of testimony to the worth of one with whom I had the honour of acting for many years. I can conceive no one who in the position of Lord Chancellor could have greater qualities to entitle him to the respect and attachment of his colleagues. While the most consistent politician on the lines which he had laid down for himself, he was one of those

lawyers—and I am happy to say that they exist in both political parties of the State—who, when they attain to the highest honours of their profession, can look back upon a career absolutely unstained either in public or in private life. One of his most important characteristics was that he not only pointed out difficulties which might occur in politics, but he was singularly fertile in suggestions for remedying them. I feel sure that, whether remembered as Page Wood or as Lord Hatherley, his name will remain an honour to his profession and to both Houses of Parliament, of which he was so distinguished an ornament.'

Although Lord Hatherley's character and opinions have, it is to be hoped, been amply unfolded in the preceding letters and narrative, I may perhaps be permitted to make a few general remarks, in conclusion, upon one whom from my childhood I revered and loved.

My earliest recollections of him are connected with the annual visit which I used to pay to him in London with my parents, usually in the month of January, and the visit which he paid to my father's house in Berkshire in the autumn of each year, on his way to Hatherley, where he went to inspect his school, as related in a preceding chapter.[1]

[1] Chap. ii. p. 148.

During our stay with him in London I usually accompanied him and my aunt, when I was old enough, to the early service at the Abbey. All the circumstances of those early services have left a clear and indelible impression on my memory—the solemn stillness within the walls of the vast building, the ever increasing hum of the distant traffic in the surrounding streets, the dim light of the few flickering candles just sufficient for the little band of worshippers, but leaving the heights and depths, and tombs and recesses, of the Abbey, all wrapt in a mysterious gloom; then, that faithful and loving pair kneeling side by side—a beautiful picture of deep devoutness; their rapid but reverent saying of the alternate verses in the Psalms, he often unable, in the imperfect light, to read the words clearly, and depending upon her good eyesight or perfect memory to keep him right.

After breakfast I sometimes walked with him to his court in Lincoln's Inn, unless he wanted to ponder a judgment by the way; and in those walks, as at all times of intercourse with him, what was most charming to a boy or youth, in addition to his large stock of amusing anecdotes, and the wide range of his information, was the patient and sympathetic attention with which he would listen to what one had to say, and the great pains he would take to explain anything one did not understand. And there were certain marked features in

his character which no one who often associated with him, however young, could help observing; especially his feminine delicacy of feeling and tenderness of heart, his detestation of untruthfulness in every form and degree, of vanity, and affectation and self-conceit. Directly or indirectly, he would always strive to impress upon a youthful mind the great duty of being industrious, and of doing all work as thoroughly as possible, the great advantages and happiness of independence, the injustice and wickedness of imputing evil motives to the actions of others.

His exceeding trustfulness, indeed, in human nature, and his extreme reluctance to suspect evil of any one, was most remarkable and touching in one who, as a lawyer and a man of the world, was of course often compelled to come in contact with the baser elements in men. But he had that Christian charity which, ever bearing in mind the image in which man was originally made, and loving the Divine Master through whom the lost image can be re-created, 'believes all things, hopes all things, endures all things.' And, in proportion to his unwillingness to suspect evil, was his distress at the discovery of it in any one whom he loved, or in whom he had reposed confidence. The shock of such disclosures seemed for a time to shake his whole being, and nothing ever seriously disordered his health but grief of this kind. Yet

repeated experience of these trials, and repeated abuses by others of his generosity, never hardened him, never wore out his patience, or made him slacken his efforts to reclaim the wrong doer, and give him another opportunity of regaining a lost position or a lost character.

It would be impossible to ascertain, or form any estimate of, the amount of money which he must have given away in the course of his life, and certainly he would not have liked his gifts to be enumerated. It may suffice to say here, that besides the many public institutions to which he was a large contributor, and the local charities in Westminster, more especially the Free Library which he was instrumental in founding, the schools, the hospital, and the refuge, to most of which he doubled all his subscriptions when he became Lord Chancellor, his private gifts to needy and struggling individuals were so numerous that it is impossible to form any probable calculation even of their amount.

Some of the characteristics which have been just mentioned, were noticed in a leading article in the 'Times,' written when his resignation of the office of Lord Chancellor was imminent; and I quote from it here chiefly to show that the judgment of a private individual, and a relative, is not at variance, to say the least, with the testimony of public opinion. After criticising some of the defects in the Lord

Chancellor's proposals for reform of the judicature, and pointing out that they were partly due to his desire to 'deal tenderly with the feelings of the law lords,' the article proceeds: 'Amid all the defects we are compelled to note, there shines a character of singular sweetness, simplicity, and dignity. Pure from all suspicion of self-seeking, the Lord Chancellor has ever shown himself ready to believe in the candour, the frankness, and the disinterestedness of others; and if ever a touch of resentment lent warmth to his tone in addressing his peers, it has been because the sincerity of the motives of his friends has been assailed, or because he has been shocked by double-dealing on the part of others. It is this absolute purity of character which led to a judgment pronounced on his speech on the second reading of the Irish Church Bill, when it was said that though its reasoning was cogent and strong, and its eloquence well sustained, the predominant impression it left on the minds of men who had pursued the debate from the beginning, and had thus heard peers and prelates of the highest and best deserved oratorical reputation, was that it was the speech of a perfect gentleman 'sans peur, et sans reproche.'

On the Sunday after his death, Canon Farrar preached a beautiful and eloquent sermon in St. Margaret's Church in reference to him, boldly taking for his text the words in Acts xi. 24, 'For he was a

good man.' 'Of many men,' he said, 'nay, of most men, I should hesitate to use without modification the text which I have chosen to-day. A man's goodness may have been unknown to the world, or it may have been mixed with *large alloy*; and if we speak of it without explanation we run the risk of being unreal, of encouraging a lax standard, of holding up a mistaken estimate. We may say of many from our hearts, "He was a great man, he was courageous, he was a patriot, he had a generous nature, he had many virtues;" but to say of a man *outright* he was a *good* man, is praise so high that it is not often that any one would dare to use it in the pulpit. Nevertheless I do use it fearlessly to-day.'

Now, certainly, no one can deny that this text, which is also placed underneath the window erected to Lord Hatherley's memory in St. Margaret's Church, was justifiably applied to him. Yet it will be borne in mind by the readers of these pages that no one ever deprecated or shrank from such unqualified praise more than he did, and few men have bestowed upon themselves more abundant accusation and reproach. This circumstance, however, will not shake our conviction that he was, allowing for necessary human imperfection, an eminently good man. On the contrary, a really good man is necessarily a very humble one, because he measures himself not by a worldly but by a

Divine standard, and is consequently filled with a sense of his shortcomings. There is a passage in a Sermon of Dr. Newman's on 'Secret Faults' which enlarges upon this truth in the most beautiful and admirable manner. 'No one,' he says, 'begins to examine himself, and to pray to know himself (like David in the text [1]), but he finds within him an abundance of faults which before were either entirely, or almost entirely, unknown to him. That this is so we learn from the written lives of good men, and our own experience of others. And hence it is that the best men are also the most humble: for having a higher standard of excellence in their minds than others have, and knowing themselves better, they see somewhat of the breadth and depth of their own sinful nature, and are shocked and frightened at themselves. The generality of men cannot understand this: and if at times the habitual self-condemnation of religious men breaks out into words, they think it arises from affectation, or from a strange distempered state of mind, or from accidental melancholy and disquiet. Whereas the confession of a good man against himself is really a witness against all thoughtless persons who hear it, and a call on them to examine their own heart. Doubtless the more we examine ourselves the more imperfect and ignorant we shall find ourselves to be.'

[1] Psalm xix. 12. 'Who can understand his errors? Cleanse Thou me from secret faults.'

A few words may be said, in conclusion, on some little details of character, habits of life, and personal appearance which have not been noticed in the preceding pages. Lord Hatherley possessed the valuable faculty of so completely abstracting his mind from surrounding objects, and concentrating it upon the work before him, that he could read or write upon any subject, in the midst of talking or any other kind of noise, without being in the least distracted, nor could his attention be diverted unless he was touched, or called upon by name, in a loud voice, and generally several times over. He had an intense love for the beauties of nature, and for many forms of animal life. His eagerness to catch sight of any curious bird or of squirrels, for which he had an extraordinary admiration, was a subject of much amusement sometimes to his friends. He had great difficulty, owing to his bad eyes, in seeing rapidly moving creatures of this kind, and his delight when he succeeded was proportionally great. Partly also, no doubt on account of his defective sight, he never excelled as a youth in active sports, although his physical strength was good ; but he was always a rapid and vigorous walker, and a first-rate swimmer, and continued the practice of bathing in the sea almost to his old age. His health was excellent ; for, although he suffered almost daily from a peculiar kind of indigestion, he was never disabled by illness from keeping any of

his professional engagements. He had also remarkable power of abstinence from food. He ate a very light breakfast, and his luncheon consisted of two or three small biscuits and a glass of water; yet upon this scanty fare he was capable of working hard all day, and though he ate a hearty dinner he did not care to how late an hour it was deferred.

Before he made his speech on the second reading of the Irish Church Bill he had been sitting judicially in the House from ten to four o'clock, and after taking a little tea and bread and butter he resumed his seat at five. About half-past nine Mr. Gordon Whitbread, going to the back of the woolsack, besought him to retire for a brief interval and have some more tea, which was ready for him in his room; but the Bishop of Lichfield was speaking, and he did not think it would be respectful to leave the House until he had finished or nearly finished. He was then persuaded to retire and rest for a few minutes. The debate was unexpectedly prolonged by the speech of Lord Westbury, who had written in the morning to say that he was too unwell to attend the House. Lord Hatherley spoke after him, and was followed by Lord Cairns, and did not get home to dinner till past three o'clock in the morning. Nevertheless he was down to breakfast at nine o'clock, and this was the first occasion on which he ever missed attending

the early service at the Abbey on account of a late sitting, either at the House of Commons, or the House of Lords. He was in fact excessively tenacious of all habits and customs which he had once adopted; and he must have been nearly, if not quite, the last man in England who wore a blue tail coat and metal buttons, which he continued to do, I think, down to the year 1852, or about the time when he became a judge.

He had a handsome face, which in old age was well set off by his snow-white hair; his features were regular and rather small, although his head was of the most uncommon size. His hat would cover the whole head and face of most men, even those whose heads were rather above than under the ordinary size. His bright and beaming countenance expressed the warmth and benignity of his nature, though his very deep-set eyes, and a habit of knitting his brow when reading or listening intently, especially to an argument in court, occasioned at times a seeming aspect of sternness; but he could also look really and almost terribly stern when his indignation was excited by hearing of some deed of injustice, or cruelty, or deceit. Of the portraits which are prefixed to the two volumes of this Memoir, the first, taken from a chalk head by Mr. Richmond, represents Lord Hatherley's happiest and most serene expression as he appeared in private life; the second, taken from

a photograph, is a good specimen of his aspect on the judicial bench.

I have reserved, as a fitting termination to this Memoir, some remarks which the present Lord Chancellor has been so kind as to write, at my request, on the character of Lord Hatherley as a man and a judge. And, last of all, I have placed some verses composed about him by the late Dean of Westminster, the exact occasion of which I have unfortunately not been able to discover; but it was something of this kind. There had been a parochial meeting in St. John's schoolroom, and in some speech which Lord Hatherley had to make there, he introduced the proverb 'a rolling stone gathers no moss,' in a way which captivated the Dean's fancy, and started the idea which he has worked out in the poem. Probably Lord Hatherley had referred to his long residence in Westminster as a source of great happiness and advantage to himself, as leading to many warm friendships, and surrounding him with all manner of kindly and tender associations and reminiscences, which cannot be enjoyed by the restless spirit which roves from place to place, 'the rolling stone' which 'gathers no moss.'

From the Right Honourable the Earl of Selborne, Lord High Chancellor of England.

'If I were asked what qualities of Lord Hatherley distinguished him most from other good and able men whom I have known, I think I should mention his simplicity, straightforwardness, and entire freedom from all forms of pride. He was a resolute and courageous man; strong in his convictions, and never flinching from them; quick of apprehension, and clear in judgment. But he was also patient and candid, gentle and courteous. There was nothing affected or artificial about him; he never appeared to be thinking about himself, or pursuing any selfish ends; he had no egotism, or vanity, or arrogance. He never cared for display. Modesty, and consideration for others were, in him, not the result of a shy or hesitating disposition, but of habitual self-control. He was an essentially generous man; never jealous, or envious; charitable in spirit as well as in act; always ready to give help and counsel to those who sought it from him.

'As a judge, his merits and defects were alike traceable to these qualities in his character. His patience and courtesy led him to listen attentively to the arguments on both sides, without incon-

venient interruptions. His candour and consideration for the advocates and their clients led him to deal, in his judgments, with the various points taken in argument, sometimes more fully than was necessary for the purposes of the immediate question. His quickness of understanding, and sound and ready knowledge of law, enabled him to dispose of most of the cases brought before him without delay; and his unambitious temperament made him, perhaps, too negligent about the form of his judgments, which were (generally) not committed to writing. They were, from these causes, often discursive, and wanting in conciseness; but they were almost always sound and accurate; and the parties concerned seldom left his court without feeling that everything which they had to say had been properly considered. There were few appeals from his decisions, and most of those appealed from were confirmed.'

LINES

By A. P. Stanley, *Dean of Westminster*,

IN REMEMBRANCE OF ST. JOHN'S SCHOOLROOM, MARCH 16, 1870.

'A rolling stone gathers no moss.'

I.

I travell'd down the vale of years,
The path of mingled smiles and tears;
For shelter from the rude wind's shock
I sate beside a tall grey rock.
Long had it stood, from year to year,
Unchanged, whilst all was changing near,
Thro' summer dews, thro' winter snows,
Still deepening in its calm repose;
The storms that from the mountain roar'd,
The floods that through the valley pour'd,
Fix'd yet more firm its ancient place,
Gave brighter hues and fresher grace;
Beneath its base the wild flowers sprung,
The feathery fern around it hung;
Its head the hoary lichen crown'd,
Its sides the mantling ivy bound;
The spreading shrub, the towering tree,
That flung their branches far and free,
And scatter'd wide their flower and fruit,
Deep in its heart of heart struck root.

II.

So in life's wanderings have I seen
A good old age so richly green,
Around whose form, beneath whose feet
Bright children play, kind neighbours meet;

Within whose deep and open heart,
From each soft place and tender part
Sweet thoughts their fragrant odour shoot,
Good deeds their firmest fibres root.

III.

Not so the restless stones that leap
From stream to stream, from steep to steep.
Smooth, slippery, solid as they glide,
But harder than the hard wayside,
Along whose bright and burnish'd mass
Can creep no blade of living grass,
Within whose stark, unyielding breast
No seed or blossom finds its rest;
But from the stern intruder shrinks,
To calmer nooks and humbler chinks.

IV.

No! let some cold congenial fate
Plant in the marbled halls of state
The rolling stone that, day by day
Continuing in no constant stay,
Spurns without heed or sense of loss
The softening touch of kindly moss.
Give me the Rock that stands unmoved,
By long familiar contact proved,
'The good grey head which all men know,
The tower that stands four square to all the winds that blow,'
The hand across whose steadfast grasp
The thousand tendrils of a home can clasp;
The heart that gathers sure and fast
The flowers of times to come, the lichens of the past.

SONNETS AND OTHER POEMS.

NOTE.—The following verses are selections from the poems which Lord Hatherley composed on various occasions, and from the sonnets which he regularly wrote every year on January 5 and September 12, being the anniversaries of his marriage and of his wife's birth.

ON THE DEATH OF A CHILD.[1]

MARCH 1833.

How calmly on thy coffin'd couch thou sleepest,
Dear babe, in this thy last and mortal slumber!
How still thy fragile form! no more thou weepest,
Earth's fetters now no more thy soul encumber.

Short was the death-throe, for thine unstain'd spirit
Disarm'd Death of his sting—disown'd his terror;
Tho' sprung of Adam, thou didst but inherit
His sinful frame, and not his guilty error.

Perhaps e'en now thy Sabbath light is dawning,
And heralds in the everlasting morrow;
Around thee breaks the bright, tho' sunless morning,
And dissipates the mists of earthly sorrow.

[1] A brother of the Editor, who died in infancy.

Already standest thou at Heaven's portal,
Already hearest the seraphic choir,
Thy guiding Angel swells the strain immortal,
Nor stops his onward flight, still soaring higher;

Onward to Him, the light of thy salvation,
Who in His everlasting arms upbore thee;
What time the waters of regeneration
With faith and tearful prayer were sprinkled o'er thee.

And now the veil of flesh is torn asunder,
The filmy cloud of sense before thee driven;
And thou beholdest in ecstatic wonder
The glory, power—ah! more! the love of Heaven.

Yet not unknown on earth love's sweet emotion;—
Thine infant joy no sickening pain could smother,
When, gazing on her look of fond devotion,
Thou stretchedst forth thine arms to clasp thy mother.

Haply thou knowest how, tho' left behind thee,
She felt thou did'st but for a time forsake her,
And, fondly loving, cheerfully resign'd thee
To One who loved thee more—thy Heavenly Maker.

Thy father, too, tho' many a careworn feature
Break love's full tide in man, and check its flowing,
Would speak in accents gentle as his nature,
Till answering raptures in thine eyes were glowing.

But for a time they mourn thy loved caresses,
But for a time can death the faithful sever;
He who once bless'd in joy, in sorrow blesses,
And when ye meet again shall bless for ever.

January 5, 1838.

Dear Wife! when last we hail'd our wedding-morn
The earth lay sleeping in her snowy vest,
No sound of life upon the breeze was borne,
The birds lay hush'd in winter's deepest rest.

But see! he hath relax'd his iron grasp,[1]
The ploughman whistles o'er his furrow'd way,
The primroses their folded buds unclasp,
The lark and thrush pour forth their roundelay.

True love no season knows—the varied years
May tell of winter's cold or summer's heat;
And such our wayward thoughts when hopes and fears
Alternate stirr'd the heart's responsive beat.

But love hath centred in one lasting thought
Our hearts unchanging, if with fervent pray'r
And faith and all-confiding hope besought,
Heaven's grace still nurture what it planted there.

Blest Lord! who at the closing wedding-feast
In Cana bad'st the choicest wine to flow,
Grant us, in our declining years, the best
And richest treasures of Thy love to know!

[1] On January 5, 1838, the birds were singing, and the flowers blossoming, as in Spring. On the same day, the year before, the ground was deeply covered with snow.

September 13, 1840.

Clifton.

Dear Wife! how brightly shines this blessed morn,
As though again it rose upon thy birth;
Nor in the sunny clime where thou wast born [1]
Was ever shed abroad more radiant mirth.
See! from the teeming bosom of the earth
Yon creaking waggon drags th' o'erhanging pile,
And yet the laughing gleaner fears no dearth;
The orchard glades with golden promise smile.
So when the Angel reapers shall descend,
And, ere a curse hath scorch'd the barren ground,
Shall safely gather the Lord's harvest home,
Laden with fruits of grace, may we attend
His feast! and, fearing not the trumpet's sound,
Say, 'Amen, even so Lord Jesus come!'

September 12, 1842.[2]

Charlotte! yon ocean rock'd thine infant sleep,
Till the wide arms of this majestic stream
Upbore thee homeward! did'st thou smile or weep?
For I would know thy very childhood's dream—
Whether it were of India's golden gleam
That lit thy birth—or of the wailing cry
Of sea-birds, and the harshly creaking beam,
And winds that through the shrouds sigh'd mournfully;
For love is of all time, and doth in one
The father's, brother's, husband's heart enfold;

[1] India.

[2] We came by steamer from Ipswich to London on this day.

And with that heart I love thee, though this day
Remind me how thy circling years have run,
Yet love is of th' Eternal, nor grows old,
Nor fades, till time itself be past away!

SEPTEMBER 12, 1843.

Dear Wife! the lengthening shadows round us fall,
And warn us that our noon of life is past,
Th' autumnal wind sighs heavily, a pall
Of tearful mist our sky hath overcast.
The Infant,[1] Youth,[2] and hoary Eld,[3] how fast
They vanish'd as in dreams! And we, bereft,
Now tremblingly await the wintry blast,
And count with careful eye our treasures left.
We shrink not from Thy judgments, gracious Lord,
Wherewith Thou teachest us—for we are born
To sorrow, as in sin—here, as above,
God's will be done; 'tis Thy own gracious Word;
And they who sleep in Thee await a morn
Of light and joy eternal as Thy love.

JANUARY, 1844.

Charlotte! the air is genial and serene,
Tho' leafless be the woods, and the bright sun
Woos the coy violet from her bed of green,
Tho' his return be scarcely yet begun.

[1] C. M. S. [2] E. G. M. [3] M. W.

The robin carols boldly, 'neath the screen
Of yonder hedge chirps many a shyer bird;
High overhead (the songster's self unseen),
The lark's shrill throbbing note of praise is heard
So fare it with our hearts; 'tis winter now,
As men count seasons in our changing life,
And sadly fall the leaves around our home;
Yet can God's Spirit calm our troubled brow,
And faith and hope be ours; then, dearest Wife,
Sing we His praises, till His kingdom come.

September 12, 1844.

Bealings.

Dear Wife! how beautiful and still appears
Thy former home! Yon dial on the green
With unmoved finger mocks the idle years,
That circle round, yet leave unchanged the scene;
Save where the cedar rears its head serene
In slow majestic growth, or deeper shade
Marks how the saplings weave a spreading screen,
Yet show the uplands bright athwart the glade.
So may our love abide, unchanging still,
Save in its upward growth; or spreading round
To friends and kindred, nor exclude the gleam
That love eternal sheds o'er Sion's hill,
And 'mid the busy world be ever found
True as yon dial to the solar beam!

January 5, 1847.

Bealings.

Dear Wife! how truly hath the painter's art
Pourtray'd thy mind! wisdom without pretence,
Quickness of wit, chasten'd by innocence
Are there, but still it touches not the heart,
Nor even Richmond [1] can the look impart
That lights me on the threshold of my home,
Or lures my wayward thoughts when they would roam,
Nor suffers them at worldly cares to start.
'Tis true those pictured lineaments outlast
Thy form, but Time himself can ne'er deface
Love's image in the heart. He but dispels
The veil of flesh, nor suffers it to cast
A shadow on my path, lest, lacking grace,
I worship thee, not Him Who in thee dwells.

September 12, 1847.

Clevedon.

But four days since, dear Charlotte, side by side
We sat, and ponder'd on the meeting streams
In Lyn's sweet vale, and watch'd the sunny gleams
Smile on their union. Nothing shall divide
Those waters; onward to the ocean's tide
Joyous they speed, and with united force
O'erleap the rocks that fain would stem their course,
Nor stay till in its bosom they abide.

[1] G. Richmond, Esq., who took a likeness of Mrs. Wood in 1846.

So be it with our lives—this very morn
Bids me remember the far distant clime
Whence well'd thy gentle stream, nor shall it cease
Now mingled with mine own—but, onward borne,
Speed we athwart the rocks and shoals of time,
To rest in the ocean of eternal peace.

TO THE RAINBOW.

SEPTEMBER 18, 1847.

Cheltenham.

Seen ever in a troubled sky,
And brightest in the gathering storm,
E'en to the Heathen's untaught eye
The Godhead lay beneath thy form.

And rightly messenger of Heaven
He deem'd thee—nor the message read,
Glad tidings of our race forgiven,
And Earth new risen from the dead.

Now Christian mourners love to gaze
In silence on thy glorious light;
Deep in their hearts thy sevenfold rays
In one bright beam of joy unite.

For so the sevenfold Spirit's power
Their hour of darkness ever cheers,
And tho' Sin's murky clouds may lower,
Irradiates the vale of tears.

And soon the Sun of Righteousness
Shall rise, and with more glorious bow,
In vision beatific bless
Those who have lov'd His light below.

SEPTEMBER 12, 1848.

Bealings.

Dear Wife! how soon another year hath sped
Its course! Eve's lengthen'd shadows round us fall,
And Time's dark mantle, like a funeral pall,
Veils from our sight the loved and honour'd Dead!
Each by an aged parent's dying bed
Hath stood—and now, cut off in manhood's bloom,
A friend[1] lies withering, on whose distant tomb
Yon rising sun its parting ray hath shed.
So close our birthdays in this veil of tears,
Turn we—and look upon our heavenly 'birth,'
Whose 'dew is of that morning' ever bright,
Ere time began, where neither days nor years
Shall steal from us our loved ones as on earth,
E'en now they beckon us in robes of white.

PARABLE.

During a walk from the churchyard of Bealings to that of Clopton, October 25, 1850.

The leaves are falling, dearest,
Oh! how thickly—all around,
Yet so gently, that thou hearest
As they hover, not a sound;

[1] A. H. F., died at Suida, near Antioch, July 11.

Still the robins carol gaily,
And the lark still heavenward springs,
To chant her matins daily,
As she soars on quivering wings.

How proudly towers yonder
The cypress!—and the yew
Spreads her wrinkled arms around her
And boasts their livid hue:
The bristling peevish holly,
With its cold and glassy smile,
Mocks each leaflet's summer folly,
As it lingers yet awhile.

But hark! What sound is o'er us?
'Tis not the rising breeze—
No—I hear a joyful chorus
Up amid the summer trees—
'We die not thus in falling,
Nor at random do we range,
But we hear our Master calling
To a sweet and blessed change—

'We shall drink the dew of Heaven,
And though by winter's frost
Our tender frames be riven,
Not a grain of them is lost.
For, while wintry fields are hoary,
In the Earth we bide our time,
Then burst into new glory,
In springtide's opening prime.

'What care we though we mount not
Some tall and stately stem?
Our rank and place we count not,
In Nature's diadem—
Oak, elm, or lowly daisies
May be our next abode;
In all we'll sing the praises
Of the Everlasting God!

JANUARY 5, 1851.

Leeds.

Thrice seven years their course had well-nigh sped,
And seal'd my manhood, ere one blissful hour
Reveal'd to me the sweet unconscious power
Of innocent love and grace around thee shed:
And as I gazed and mused in reverent dread,
As one unworthy of thy look or thought,
Love a transforming miracle had wrought,
And made us one ere seven more years were fled.
And now thrice seven I have called thee Wife,
And in this mystic period of years,
Thus seven times repeated, I may see
The full perfection of my earthly life—
Praise God, my soul, in this thy jubilee,
So may He guide thee down this vale of tears.

SEPTEMBER 12, 1851.

Dear Wife! what solemn thoughts, like holy spells,
Floated around us, or by Rydal Lake,
Or Grasmere, where *he* sleeps whose soul could take
Her flight above Helvellyn's wildest 'fells,'

Yet 'murmur' with the bee 'in foxglove bells'![1]
There still his lofty, loving spirit dwells;
Nor dared I with a voice untaught and rude
Wake the hush'd echoes of that solitude.
But now perforce my heart its rapture tells;
For this thy birthday was to me the source
Of joy more pure than aught that earth can give:
Brighter than childhood's laugh, or dreams of youth,
That year by year, in one perennial course,
Flows on from Him in whom alone can live
Unchanging Love and Everlasting Truth.

JANUARY 5, 1852.

To me, dear Wife, this is no season drear.
Again methinks I see the frozen spray
Glittering with gems for this thy bridal day;
And in the snow-strew'd churchyard path appear
Thy shallow foot-prints; not more bright or clear
The azure sky than thy pure, loving mind.
Though thoughts of the dear home thou leav'st behind
Arise, and dim thy brightness with a tear,
Yet ah! how swiftly all has changed! and they
Are gone whom so thou lovedst—our sweet prime
Of life's young spring and summer's glow are past,
My once dark locks fade into wintry grey—
But Love unfading knows no touch of time,
'Tis of th' Eternal, and shall death outlast.

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[1] See Wordsworth's Sonnets (Miscellaneous, 11).

BEFORE THE MADONNA DI S. SISTO.[1]

SEPTEMBER 14, 1852.

Dresden.

Oh! what an awful hour of solemn thought,
As though mankind's redemption now were plann'd,
And that mysterious Child already scann'd
His darkening path on earth, with sorrow fraught
Unspeakable! And she, by Simeon taught
Full soon what death pangs must awhile alloy
Her rapturous outbreak of prophetic joy,
Ponders the word, nor sees nor utters aught.
Blessed ye [2] Saints, if vision such as this
Were e'er in very deed to mortal given.
Ecstatic joy, and humble, reverent love,
Bespeak your conflict won, and now in bliss
Ye rest, whilst silence deep has stay'd in heaven,
Yon cherub's song—they pause—and gaze above!

JANUARY 5, 1853.

Bealings.

For three-and-twenty years in blended stream
Through this world's wilderness our lives have sped
Their onward course to th' ocean of the dead,
Reflecting now a cloud, more oft a gleam
Of brightness such as lights an infant's dream;
When angels whisper tales of Paradise,
And lo! he wakes, and in his mother's eyes
Beholds scarce changed love's pure celestial beam.

[1] See above p. 129.

[2] S. Sixtus, and S. Barbara.

For thou to me art mother, sister, child,
And every name of holy love, dear Wife,
Doubling my joys, and sharing every care;
Too long a truant to thy influence mild,
Amid forensic jars and party strife,
I quit the field to breathe home's calmer air.[1]

SEPTEMBER 12, 1854.

Cornwall.

Solemn though faint the echoes of the past
Float over moor and cliff, and by the wave;
The mystic 'Hurlers,' and the giant's grave,
And yon huge rock, which ponderous and vast
Sways sullenly before the western blast,
Could tell us of an awe-struck multitude
That peopled once these deserts quaint and rude,
And round us still gigantic shadows cast,
The footsteps of a dreary pilgrimage,
'Mid doubt and darkness, ere the glorious Sun
Of Righteousness from out the eastern sea
Had risen. May we in our declining age
Walk in that light, dear Wife, till heav'n be won
So prays thy husband on thy jubilee.

JANUARY 5, 1855.

Foxboro'.

Fall'n are the summer leaves, or few and sere
Hang languidly upon the oak and beech,
As if to sinful man things lacking speech
Would tell of woe and death. But, Mother dear,

[1] Written soon after he became Vice-Chancellor. See above, p. 133, and vol. i. p. 143.

Thou choosest from this season dark and drear
Twelve days of joy, from when th' angelic choir
Burst on the shepherds' ear, till when its fire
With starlike radiance led each Gentile seer,
And He who then with all-pervading love
Brought Heaven to Earth amid these wondrous days,
Vouchsafes to us, dear Wife, one blessed hour
That gave me half thy life. Oh, far above
All earthly rapture may His Spirit raise
Our hearts renew'd by His transforming power!

September 12, 1857.

Aldeburgh.

How awful art thou! never failing sea!
For ever changing, and yet still the same.
Fain would we cramp thy vastness by a name,
Atlantic or Pacific—ever free
Through all thou rollest—so Eternity
Spurns the frail measurement of days and years,
Weak limits of man's passing hopes and fears,
Sunk in its gulfs, as sink the wreck'd in thee!
Thou joinest all like Love; yes, dearest Wife,
E'en as a nursing Father on his breast
Old Ocean bore thee from the eastern shore,
To brighten, as the sun, my path of life.
And now that day and year, by love once blest,
Are reft from Time to last for evermore.

JANUARY 5, 1858.

Bealings.

How gently sank to rest the closing year!
The robin caroll'd blithely on the spray,
And e'en the thrush pour'd forth her roundelay,
Scarce hid by sapling beech leaves brown and sere:
So calm be our decay, thou Partner dear
Of half my life, of every joy and grief!
Our winter is not yet, but many a leaf
Lies strewn around, and speaks its footfall near.
Cease we from earth—for on this blessed day
He who vouchsafed to be a wedding guest
At Cana smiled upon our plighted truth,
And, as our mortal vesture wears away,
He to the last will still reserve His best,
Quickening our love with everlasting youth.

MAY, 1859.

I loved thee, dear, in Spring—the budding may,
Fresh bathed in dew,
Twinkled not like thine eyes' sweet laughing ray,
When love was new.

I loved thee when the Summer's sun was bright
On Ocean's wave,
For warmer far, and purer, was the light
Thy presence gave.

I love thee *now* in Autumn;[1] though the leaves
Be changed and sere,
Our love but ripens, like the mellow sheaves,
From year to year.

I'll love thee yet when Winter's sky above
Is dark and chill.
Our newborn Lord then smiles, and even love
Grows lovelier still.

September 12, 1859.

St. Leonards-on-Sea.

Thou speakest still of Love, thou boundless sea,
From the first hour when, wandering side by side[2]
Along thy shore, I and my destined bride
Felt all the rapture of young hearts yet free,
And mine knew not its sweet captivity,
Until we parted. Then for many a year,
In reverent hope I waited, nor drew near
To challenge yet her maiden liberty.
At length our troth was plighted, and again[3]
We view thy billows from some rocky cave,
Or print thy sands as side by side we rove.
Lo! thirty years have sped, but we remain.
Blessed be God! Unchanged as thou, the wave,
Kissing our feet, still speaks to us of love.

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[1] N.B. The scenery refers to the figurative periods of our life.
[2] Bawdsey, 1822. [3] Tenby, 1829.

JANUARY 5, 1860.

Say not, dear Wife, 'The moments fly too fast;'
As clouds beneath a crag they hurry by,
Whilst firm in love *we* gaze upon the sky
Serenely bright, tho' earth be overcast.
Tho' thirty years of wedded life be past,
Love takes no note of time: her heavenly birth
Is of th' Eternal; and when back to earth
We render what earth gave, true love shall last:
As when some ancient church, where side by side,
With chasten'd, reverent joy young lovers knelt,
Beneath Time's pressure totters to its fall,
The plighted troth of bridegroom and of bride,
And vows unutter'd, but more deeply felt,
Survive, and hallow every crumbling wall.

SEPTEMBER 12, 1861.

Aldeburgh.

The soul still clothes with grace beyond their own
The ever varying forms of outward sense
That fall within the eye's circumference:
Rocks, trees, and flowers, that seem at random thrown,
She can combine in one harmonious tone
Of beauty, and as Priest of Nature raise
With them, and for them, her glad song of praise
To their Creator, the Great Three in One.
And even so, dear Wife, one purpose reigns
In all the many-colour'd scenes of life

That time unveils, and He who from above
The wandering planets in their orbs contains,
Has harmonised our jarring world of strife
By His Son's blessed word, 'Let all be Love.'

SUNDAY, JANUARY 5, 1862.

Bealings.

How calm this Holy Day! no rustling leaves
Hang on the wintry bough: and human toil
Has ceased; no whistling ploughman cleaves the soil,
No whirring engine fans the arid sheaves.
Listen! two notes alone the ear receives,
The robin's carol, and the booming swell
Along the valley, as the tolling bell
Of yon grey tower its iron tongue upheaves;
It bids the fever'd world in peace to rest,
And leave the spirit free, this blessed Day,
To serve and glorify her risen Lord.
To us, dear Wife, this day is doubly blest,
Whereon our hands and hearts were link'd for aye,
Fast bound by His irrevocable Word.[1]

TRANSLATION OF UHLAND'S LAST LINES ON A CHILD'S DEATH.

Du kamst, du gingst mit leiser Spur,
Ein flücht'ger Gast im Erdenland:
Woher? wohin? wir wissen nur,
Aus Gottes Hand, in Gottes Hand.

[1] 'Whom God hath joined together let not man put asunder.'

She came, she went, with footstep low,
A passing guest this earth she trod:
Whither and whence? we only know
She came from God, she went to God.

September 12, 1863.

Loch Carron, Scotland.

The lake's unruffled waters calmly sleep,
Midst hills that bend their watching brows, as wild,
Rude nursing fathers of Old Ocean's child,
That he himself high festival may keep,
With all his Tritons, on Skye's western shore,
Whose caverns loudly with their laughter roar,
As round Scuir-gillean's base they dance and leap.
Dear Wife! what spell of harmony could bind,
The lake, the rocks, the sea with beauty's zone?
'Tis not from earth—but He who reigns above,
The Everlasting, all creative Mind,
Who from our birth design'd us to be one,
Has knit all being, and the spell is Love.

January 5, 1864.

London.

Again, dear Wife, we hail the blessed day,
Which saw our threads of life so intertwined,
That henceforth heart to heart and mind to mind
Answers, as chords in some well temper'd lay.
But now alas! all mournfully we stay,
Listening in vain for the fraternal voice,[1]

[1] Mr. Western Wood, died May, 1863.

Tuned by its own sweet memories to rejoice
With ours in unison—now far away!
Yet 'tis not silent; naught that loved can die;
The notes still vibrate, tho' our duller ear
May not discern them 'mid the din of earth.
Oh! may we learn with him that minstrelsy
Where love on high, in the seraphic sphere,
For ever praises Him who gave it birth.

ASCENSION DAY, 1864.

We dare not ask Thee, Lord, to stay;
Thy loving promise we have heard,
'Tis good for you I go away;'
And still we lean upon Thy word,
Though hard the saying—can it be
That we can live apart from Thee?

Ah! not apart; Thy Flesh and Blood
May not by outward touch be known,
But soon Thy Spirit, as a flood,
Shall shed His glory round Thine own,
And Faith's uplifted eye shall see
How very near she stands to Thee.

All silently, yet deep within,
Thy life-blood stirs the sinner's heart,
Cleansing the darkest spots of sin,
And quickening still each languid part,
That through the Spirit he may be
An habitation fit for thee.

Thy flesh his constant need supplies;
And now again a living soul,
He prays, as Adam daily dies,
That Christ may reign without control,
And longs on eagle's wings to flee,
That he may dwell above with Thee.

The Spirit's gracious work is done;
Man sleeps, but soon again shall wake
After the likeness of the Son,
Loved by the Father for His Sake.
The bonds are burst—the prisoner free,
Not *near* but ever *one* with Thee.

WHITSUNTIDE, 1864.

Oh! Holy Ghost! in Whom alone
We move, and breathe, and live,
One with the Father and the Son,
To Thee all praise we give.

But chiefly now we own Thy power,
When first Thy quickening breath
Awakens every tree and flower
That slept in winter's death.

Soon as within the gnarled rind
Thine impulses begin,
Its rugged strength no more can bind
The heaving life within.

And gently from their silken fold
The little flow'rets peep,
As infants smile when they behold
The eyes that watch their sleep.

The feather'd choir from early light
Chant forth their joyous lays,
And nightingales from morn to night
Still carol forth Thy praise.

Then shame upon our laggard souls,
So cold and dull and dry,
That, while Thy Love all else controls,
Still mar the harmony.

And yet we fain would praise aright
This spring-tide of the heart,
When first in rays of living light
Thou did'st Thyself impart.

Oh! teach us that sweet song to know,
By angels sung above,
When heralding to men below
The new-born Saviour's love!

Then touch our lips which all impure
In vain the strain essay;
Our faltering notes are only sure,
When they that touch obey.

Oh! Holy Ghost! in Whom alone
We move, and breathe, and live,
One with the Father and the Son,
To Thee all praise we give.

September 12, 1866.

Pontresina.

Why is the heart thus moved by yonder scene,
The torrent leaping from its rock-bound bed,
Now free in graceful curves its stream has spread
Around the fur-capp'd knoll of emerald green:
Above the upland forest, and between
Those crossing buttresses of jagged rock,
Reft from each other by an earthquake's shock
The *Rosetsch*, clad with vestal snow is seen.
But little need I question thee, dear Wife,
On this sweet day that bless'd me with thy birth,
Why thus the beautiful our hearts can move;
For thou wast taught to know the hidden life
That quickens all things, and the fair on earth
Is but the image of Creative Love.

September 12, 1868.

Whitby.

I stood beside a fountain head of song,[1]
And heard the welling music of the stream,
Oh! could I as in some delicious dream
Drink of that current as it flows along!
Then should the loving thoughts that crowd and throng
Both heart and brain, with current free and clear
Flow forth again, to quicken year by year
The flowers that grew Love's springtide path along.
Thy Laureate I, dear Wife, and this the day
That gave thee to our earth to be my Bride,

[1] After seeing Tennyson and hearing him read *Guinevere*.

And teach my heart in sympathy to beat
With truth and beauty: vain this sparkling Bay,
Or rock, or wood, without thee by my side,
God's last best gift, my own sweet helper meet!

JANUARY 5, 1870.

Together have we cross'd this wilderness
For forty years, and now by Jordan's brink
We stand, nor let our failing spirits shrink;
Canaan's in sight: then let us onward press;
We need not now the ark of God to bless
Our way, for He Himself the path hath trod.
Our Jesus is the living Ark of God,
Our panoply His Robe of Righteousness,
Though one by one He leads us through the flood,
And many a loved one bids awhile to stay,
Biding his time upon the dreary shore,
He shed for none in vain His precious Blood;
Sorrow and sighing soon shall flee away,
And all in Him shall meet to part no more.

SEPTEMBER 12, 1870.

Purley Hall, Berks.[1]

Another year, dear Wife (how swift they glide!),
Is gather'd in my treasury of thought,
Where all the wealth thine own sweet self hast brought
Is garner'd, not as this world's misers hide

[1] The property of Frederick Wilder, Esq., occupied by Lord Hatherley during the summer vacations of 1869, 1870, 1871.

Their perishable riches; mine abide
Longer than rubies, or the brightest gem
That ever deck'd an Eastern diadem,
In realms where thou wast born to be my Bride.
Yes! loving thoughts and looks will ever live
In worlds more fair than all this joyous scene,
Of wood-crown'd hill and flower-besprinkled lawn.
Honour and rank! I know what they can give,
Their many toils, and pleasures far between:
We watch of Love's Eternal Day the dawn.

(*The next two Sonnets were composed during his blindness.*)

SEPTEMBER 12, 1872.

Red House Park.

Dear Wife! what need to gaze upon thy f ce?
For every line is graven on my heart,
More truly than the sun, or painter's art,
Have e'er avail'd thy lineaments to trace.
And nothing in this life shall e'er efface
That tender beaming look of pure delight,
Which told me of my new and precious right
To clasp thee in my first and long embrace;
Tho' for a time a dim suffusion veil
My mortal sight, it cannot from the soul
The memory of that blessed look remove.
Only with life such memory shall fail,
And then, released from this poor frame's control
Still shall the spirit joy in thy sweet love.

January 5, 1873.

Red House Park.

Time has not laid his fetters on my soul,
But closed the crystal portals of my sense,
Whence I survey'd the vast circumference
Of heaven and earth, Creation's wondrous whole;
And learn'd the truest freedom—the control
Of wisdom infinite—the law of love.
And now my soul is free to soar above
The bonds of time, towards its heavenly goal.
And here, dear Wife, while kneeling side by side,[1]
Where three-and-forty years ago we knelt,
And vow'd we ne'er, while life should last, would part;
That law still binds us, still thou art my bride,
And still I feel the rapture that I felt;
Still, what I saw thee then I know thou art.

September 12, 1873.

The rising wave of time upon its crest
Hath borne us 'mid the highest, dearest Wife;
And now again the ebbing tide of life
Descending, gently brings us to our rest.
And still together thus from east and west
Playmates in childhood, join'd in riper age
By holiest ties, we wend our pilgrimage
Thro' earth to regions of the ever blest.
But one by one all pass the silent stream;
Yet not alone, for still His tender hand

[1] On January 5, 1873, we received the Holy Communion at Kesgrave Church, in which we were married on January 5, 1830.

Who guides His children ever from above,
Shall land them where their rapture is no dream,
And joy no longer as the falling sand
That measures time, but endless as His love.

IN MEMORY OF W. F. HOOK, WHO DIED OCTOBER 20.

NOVEMBER 21, 1875.

My best loved friend! my guide from youth to age,
Ill can I speak thy worth in labour'd rhyme,
Wherewith we feeble denizens of time
Are fain our deepest sorrows to assuage:
But thou couldst teach me upward from the page
Of Shakspeare or of Milton how to rise
To Him who, only holy, good, and wise,
Calm'd by a word the swelling tempest's rage:
In death thou did'st not fear: the Psalmist's trust
Was thine: a guiding Hand thy footsteps led
Thro' the dark valley, and a well known voice
Bade thee to enter where with Him the just
By faith shall live—Oh! when my course is sped
May I with thee in Paradise rejoice!

JANUARY 5, 1878.

At first the path of life before me lay,
Like Afric's fabled map, a barren waste,
O'er which the weary travellers must haste,
For lack of solace to invite their stay,

Unless perchance they wander'd from the way,
Tempted by some vain mirage of their youth,
That mock'd the waters of Eternal Truth
With the false shimmer of sin's garish ray.
But thou wast given me, my dearest Wife,
And living water o'er the desert rolls,
Supplied by purest lakes of holy love;
And He who is the Way, the Truth, the Life,
Shall ever thus renew our fainting souls,
Till man regain his long lost home above.

WRITTEN AFTER THE DEATH OF HIS WIFE.

SEPTEMBER 12, 1879.

We count not now thy course by days or years;
Thou dwellest in the never setting Light,
Where all is holy, beautiful, and bright;
Thy cheek unfurrow'd by the track of tears,
Thy sins all pardon'd, and thy reverent fears
Hush'd in the bosom of a pardoning God!
He watch'd the pathway which thy footsteps trod,
And still for me the Cross, His standard, rears;
Low at its foot I fall, in earnest prayer
That my poor yearly offering of love
Be such as Christ Himself may deign to bless;
Content meanwhile alone my grief to bear,
And sure that, should thy spirit from above
See all my faults, it *cannot* love me less.

APPENDIX TO CHAPTER III[1]

A CHAPTER FROM FROISSART.

How William de Bosco,[2] one of the Viscounts of the County of La Chancellerie in Guienne, was forced by his men-at-arms to do penance in the Hall of his own Castle for misprision of them in saying that they could not shoot with the long bow so deftly as the Archers of Westminster.

William de Bosco (otherwise called 'Le bien aimé') was Viscount of a Viscounty of La Chancellerie, in Guienne. He was a good Knight, fearing God and loving equity, and he kept his Viscounty in peace and order with the aid of many valiant Knights and stout Squires, who had conquered and subdued the said County of Chancery unto their own use and profit from out of the fertile plain or debateable land lying between Poitou and Guienne, known as the 'Pays de Droit,' or 'Pays Légal,' called by the English 'The Law Countries.' These had formed themselves into a gallant Fraternity called 'Les Chevaliers du Grand Sceau,' for that at their solemn jousts fought 'à l'outrance,' with

[1] See p. 60, note 1.

[2] William de Bosco is, of course, Sir William Wood.

sharp swords and pointed lances, they had a great seal for their guerdon of honour, and for their Grand Master, Count, and Champion, whosoever of them could achieve the same seal; to whom they gave the style and title of 'Le Seigneur du Grand Sceau;'—a badge of honour greatly esteemed and had in renown of all noble companies and valiant souls, and which whosoever won and fast held, was thereby invested and instituted into the said county, and thereupon became and was styled the 'Count of Chancery.'

One day as it chanced, whilst the companions were tilting and jousting before the Viscount after their manner, the said Viscount was heard to say, 'By the great seal' (for so these Knights swore) 'yonder gentlemen, albeit good men-at-arms, can scarce use the long bow like the Archers of Westminster.' The good Viscount (albeit he spake God's truth herein) spoke this almost under his breath, insomuch that John de Wyckins, a Squire who stood by, was wont to deny stoutly that he ever spake any such words, at least louder than a whisper, or so that any that had not very long ears could in anywise have overheard them. Natheless the said words being publicly reported and noised abroad, did not fail to breed great debate and despite among the said Knights of the Great Seal, who were well known throughout all the Law Countries no less for their prowess than for their 'outrecuidance.' They said within themselves: 'Surely all men will hold us for nought, when our own Viscount William himself thus speaks of us! Alas! for the honour of "Le Grand Sceau!" That good Knight and valiant Captain, our noble Grand Master, Frederick Count of Chancery [1] (whom God

[1] Lord Chelmsford.

preserve) who did battle against the pagans at Copenhagen, and who by the side of these very Archers of Westminster fought his way into the Court of their palace of yore, hath ever still a kind word for a comrade, is himself a right good Archer, and to this day he loveth a Westminster man ;—had he said these words we would have borne them ; but as for Viscount William, we will deal roundly with him, and will soon see of what stuff he is made.'

They then communed amongst themselves, and resolved and determined, by the voice and consent of all, that three comrades of the Grand Sceau should be deputed to deal with Viscount William therein, on behalf of all, and to compel him to repent and to do penance in the Hall in respect of the aforesaid words, or otherwise to put him to fine and ransom at their pleasure, and to handle him so that the honour of the Fraternity should be not only preserved and augmented, but that they should thereafter acquire great spoil and profit out of all the Law Countries.

These Knights were, Sir Hugh[1] (surnamed 'L'Irlandais'), Sir Richard de Aylesbury (called 'Sans Peur'[2]), and John Rolt (otherwise De Gloster). These three companions were the three best lances of the brotherhood, and it was often made a question amongst the Knights which of them should carry off 'Le Grand Sceau,' and would reign over the rich County of Chancery, when the tenure of the good Count Frederick (whom God keep!) should finally cease and determine.

These three Knights, then, having been solemnly sworn upon the Great Seal to do their 'devoir,' made repair to the good Viscount, and opened the matter to

[1] Cairns. [2] Bethell.

him, as had been theretofore determined. They found the good Viscount in a very pious and discreet temper of mind, willing devoutly to make his peace with God and the good Knights, and protesting in all sincerity 'that the honour of the Great Seal was as dear to him as his own; that his words (so complained of) escaped him without reflection, or intention of staining the renown of the Confraternity; that, as for the men of Westminster, he did not doubt but that if they were ill-advised enough at any time to enter into the County of Chancery with intent to win spoil or honour therein, his own companions the good Knights of the Great Seal would shoot both faster and further, with bolt or shaft, at butts or rovers, and would soon have the upperhand of them all—aye, even if it were Sir Fitzroy de Kelly, or Sir Edwin James themselves, in their proper persons.' Whereupon the said three Knights, finding the said Viscount so piously minded, did say unto him: 'Sir William, it behoves you, who know so well how to do Equity, to repeat this in proper form and style, to wit, in guise of a penitent, in the Hall of the Great Seal, and before all the Knights thereof in Chapter assembled, and clad in the robes of the Order; for so it hath been concluded and decreed by all the Knights for their further relief in the premises.'

'By the help of the Great Seal' (quoth Sir William), 'this will I do in all truth and humility, and they shall have such further relief herein as they pray.'

So the three Knights departed from him, right glad and merry in heart, and did repeat unto the companions what had been therein done and concluded, whereof they had great laud.

So on the morrow, the Hall was full of the Knights

arrayed in their robes, and of many of their squires, pages, and followers, marvelling what would thereupon ensue. Sir Hugh d'Irlandais and Sir Richard de Aylesbury were hindered by divers weighty affairs; but John de Gloster sat in the front rank, solemnly arrayed in his silk robes—Ah, me! but it was pity of the good Viscount William de Bosco! he stood bare-footed and bare-headed, in his shirt, with a girdle of red tape round his loins, and a taper of full six pounds weight in his hand. His secretaries and his ushers were decently apparelled in guise of mourners (as well became them). Then the trumpets blew 'à-mort,' a long blast, and the crier made his 'oyez,' and the good Viscount spoke these words in a clear and manly voice, not without many sighs and inward groans:

Here stand I, William de Bosco, Viscount of this Viscounty of the County of Chancery, a humble comrade and brother of the Great Seal, and a true liegeman of the Most Noble Grand Master of the said Great Seal, Frederick, Seigneur du Sceau, and Count of Chancery, whom God preserve! *Whereas* it hath been reported that I have spoken doubtingly of the skill of the valiant Knights of the Great Seal in archery, and have compared them, to their prejudice and disparagement, with the Archers of Westminster therein; now, I do hereby publicly and *ex animo* renounce, detest, and abjure from henceforth and for ever, these detestable, damnable, odious, and heretical doubts and comparisons aforesaid; and I do freely, fully, and voluntarily profess, declare, and openly say and affirm, that each and every Knight and Companion of the Great Seal is *ratione sigilli, et ipso facto*, really, truly, naturally and bodily, an able, capable, and sufficient Archer, whether on foot or on horseback, in hall or field, with long bow or

short bow, in light or in darkness, in wet or in dry, by night or by day, sleeping or waking, fasting or feasting, in Term or out of Term, in Chancery or out of Chancery, in town or out of town, in East or in West, in North or in South, any Law or Equity to the contrary in anywise notwithstanding; and I make this declaration in the natural, legal, and equitable sense of the words, irrespective of reason or common sense, putting my trust in the Great Seal only.'

The Knights and followers thereon made their obeisances, and by gestures showed their great contentment (all shouting or noise being forbidden by the Statutes of their Order). John de Gloster (the good Knight) spake a few comfortable and courteous words (as was his wont) to the good Viscount; and John de Wyckins openly declared and cried out—'God help the good Viscount! I was present when thou spakest the words impugned, and I vow, by the Great Seal, that they were spoken, as it were aside, unadvisedly, without forethought or malice, and so gently that, for my own part, I never conceived they could be drawn into question.' 'Grammercy, good John! (quoth William) thou didst truly hear, mark, and well digest the said words.' With that they all avoided the Hall.

Herein all men may perceive the high stomach of the Knights; the 'bonhomie,' piety, equity, and humility and love of peace of the good Viscount; the fearlessness of the said John de Wyckins; and the great renown, state, and dignity of the valiant Confraternity of the Great Seal in the County of Chancery.

Notwithstanding these things, Sir Fitzroy de Kelly, (called 'Le Grand Procureur') and Sir Edwin James (the Less), and the other Archers of Westminster and good

Knights would often say and maintain that Viscount William spake God's truth herein, and that he had but scant justice at the hands of his own Companions, and this they would offer to prove on the bodies of any of the said Companions before our Lady the Queen herself at Westminster whensoever.

INDEX.

A

Aberdeen, Lord, made Prime Minister, i. 85, ii. 57; his offers to Sir W. P. Wood, ii. 57; Mr. Gladstone takes office under, 135

Aggression, remarks on the Papal, ii. 112–114

Argyll, Duke of, his speech on appointment of Sir Robert Collier, ii. 222

Arnold, Dr., remarks on, i. 288

Assurance, remarks on the doctrine of, i. 227

Atonement, remarks on the, i. 171, 211

B

Babbage, Mr., his calculating machine, ii. 163

Bacon, Lord, his 'Novum Organum,' translated by W. P. Wood, i. 52; quoted, ii. 65

Ballot, vote by, supported by W. P. Wood, i. 79, ii. 25

Balmoral, visits of Lord Hatherley to, i. 143, ii. 241

Baptism, Holy, remarks on, i. 220–222, 289

Barnes, Mr., editor of the 'Times,' notice of, i. 61

Bealings, Great, reception of Lord Hatherley at, ii. 180; funeral of Lady Hatherley at, 254; of Lord Hatherley at, 264

Bentley, remarks on writings of, i. 162

Berkeley, Bishop, writings of, i. 26; his philosophy, 213, 302

Billing, Baron, W. P. Wood's acquaintance with, i. 54

Bishops, political appointments of, i. 229; proposal for new method of appointing, ii. 109

Brougham, Mr., meets Queen Caroline at St. Omer, i. 33; his advice to her, 40

Brougham, Lord, a meeting with, ii. 155

Buckle, remarks on the 'History of Civilisation' by, ii. 149

Burdett, Sir Francis, narrative of his imprisonment and release, i. 7–10, and *notes*

Butler, Bishop, remarks on, i. 163.

C

Cæsar, remarks on the Commentaries of, i. 171, 190

Cairns, Lord, his offer of a Lord Justiceship to Sir W. P. Wood, ii. 60; speech of, on Lord Hatherley, 268

Campbell, Lord, his remarks on a judgment of Vice-Chancellor

CAM

Wood, i. 88–90; letter to, from Master of the Rolls and Vice-Chancellor, 91, 92; reply of, 93–95
Canon, the, of Holy Scripture, i. 307
Caroline, Queen, account of, i. 33, 42
Casuistry, remarks on, i. 304–306
Cecil, remains of the Rev. R., i. 306
Chancery, Court of, W. P. Wood sits on committee for reform of, i. 84
Chartists, notices of the, i. 83, 84, and *note*
Church, principles of the English, i. 293–300
Cockburn, Sir Alexander, his letter on appointment of Sir R. P. Collier, ii. 214, 215
Coleridge, S. J., W. P. Wood's acquaintance with, i. 52; visits to, 157, 160, 175, 180, 189
Collier, Sir R. P., appointment of, ii. 213; debate on appointment, 216–234
Collins, remarks on the discourse of, on free-thinking, i. 179
Commissions, W. P. Wood sits on various, i. 84, 97
Confession, remarks on, ii. 153
'*Continuity* of Scripture,' book on, by Sir W. P. Wood, ii. 79
Conversion, sudden and gradual, compared, i. 282, 283
Conveyancing, remarks on, i. 197, 198
Convocation, uses of, for the Church, i. 228, 229, ii. 130
Cousin, M., remarks on the lectures of, i. 186
Crabbe, George, the poet, apprenticed to W. P. Wood's grandfather, i. 1, *note*

EXE

Criminal law, remarks on the severity of the old, i. 18, 19, 150, 151
Criticism, benefits of, ii. 157

D

Darnley, Lord, co-trustee with Sir Matthew Wood for the Duke of Kent, i. 71
Deceased wife's sister, bill for legalising marriage with, opposed by W. P. Wood, i. 77, ii. 26–33; letters on, 94, 124–127; opinion of Dr. Hook on, ii. 33, *note*
Deism, remarks on, i. 238, 239
Derby, Lord, becomes Prime Minister, ii. 48; remarks on his policy, 54, 56; fall of his Ministry, 57
Disraeli, Mr., votes for removal of Jewish disabilities, ii. 10; resolution moved by, about Free Trade, 49; policy of, 156, 170
Dissent, remarks on, ii. 165
Drury, Rev. B. H., Latin epigram by, i. 143

E

Early closing movement, advantages of, ii. 137
Ecclesiastical Titles Bill, defended by Sir W. P. Wood, i. 87
Established Church, remarks on the, i. 216-219, ii. 131
Ethics, remarks on Christian, i. 238, 241–243
Eucharist, remarks on the Holy, ii. 139–143
Evangelicals, merits and defects of the, i. 211, 212, 249
Exeter, Marquis of, his intimidation of the electors of Stamford, i. 80, 81, ii. 26

F

Faber, Mr., his views on justification, i. 260–263
Farrar, Canon, extract from a sermon by, ii. 275
Fathers, advantage of studying the, i. 281
Fishmongers' Hall, speech of Lord Hatherley at the, ii. 176–179
Follett, Sir W., character of, and death, i. 290
Free Trade, debate on, ii. 49–57
Froude, J. A., criticism of a passage in his 'History of England,' ii. 166–169
Froude, R. H., remarks on the 'Remains of,' i. 281, 282

G

Gabell, Dr., headmaster of Winchester, his merits and defects, i. 10–14; rebellion under, 106–112
Game Laws, repeal of, advocated by W. P. Wood, i. 80, ii. 20–23
Geneva, W. P. Wood studies at, i. 29–30; letters from, 117–138; distinguished persons there, 30–31; advantages of study there, 33; W. P. Wood leaves, 33
Gibbs, Sir Vicary, i. 3
Gladstone, Mr. W. E., review by, in the 'Quarterly,' i. 289; supports bill for removing Jewish disabilities, ii. 10, 89; his book on Church and State, ii. 90; his genius, 144; offers Lord Chancellorship to Sir W. P. Wood, 173; his Cabinet, 174
Goderich, Lord, letter to, by W. P. Wood in the 'Times,' i. 55–61

HEA

Gorham case, remarks on judgment in the, ii. 99–105, 239, 240
Granville, Lord, speech of, on Lord Hatherley, ii. 269
Guizot, M., remarks on letters of, i. 189

H

Hartley, remarks on the philosophy of, i. 153–156, 194
Hatherley Down, Sir Matthew Wood resides at, i. 72; his school at, i. 147, 148, ii. 123, 182
Hatherley, Lady, character of, ii. 251–253; death of, *ib.* *See* also *Moor*, Charlotte.
Hatherley, Lord, first appearance of, in House of Lords, ii. 175; speech of, at Fishmongers' Hall, 176–179; addresses to, 179–182; speeches of, on Irish Church Bill, 183–205, 206–211; measures of, for Law Reform, 211–212; speech of, on appointment of Sir R. P. Collier, 222–234; opinions of, on the Purchas and Bennett judgments, 235–240; failure in eyesight of, and resignation of Lord Chancellorship by, 241; resigns office of Sunday school teacher, 250; decay of, in strength, 259; death of, 260, 261; funeral of, 263, 264; remarks on, in House of Lords, 264, 270; character of, 271–278; personal appearance of, 279. See *Wood*, William Page
'*Hear the Church*,' sermon on, by Dr. Hook, i. 256, 257
'*Heart of Midlothian*,' remarks on the, i. 173
Heaven, remarks on rest in, i. 254

HEB

Hebbert v. *Purchas*, judgment in the case of, ii. 235–238
Henry VIII., remarks on, ii. 169
Hook, Mrs., her illness, ii. 166; referred to, 245, *note*
Hook, Theodore, remarks on, i. 174
Hook, Walter Farquhar, friendship of, with W. P. Wood, i. 15–18; remarks on character of, 102–103; on correspondence of, with W. P. Wood, 104–106; death of, ii. 249
Horsman, Mr., speech of, in House of Commons, ii. 6, 7
Hurd, correspondence of, with Warburton, referred to i, 155, 159.
Hutchinson, Lord, the bearer of a proposition to Queen Caroline, i. 34

I

Irish Church Bill, debate on the, ii. 183–211
Irving, Edward, referred to, i. 157, 160

J

Jebb, Bishop, his correspondence with Alexander Knox, i. 226; referred to, 243
Jennings, Archdeacon, letter of Lord Hatherley to, ii. 250
Jews, admission of to Parliament, advocated by W. P. Wood, i. 78, 79, ii. 10–16, 89, 90
Jones, Sir W., his oriental learning, i. 185
Justification, remarks on the doctrine of, i. 260–263

K

Keble, Rev. J., a meeting with, ii. 99, 100

MAC

Kent, Duke of, his honourable conduct, i. 27; letter of, to Mr. Matthew Wood, 32; Mr. M. Wood becomes trustee for, 71
Kindersley, Vice-Chancellor, i. 91, 93
Knox, Mr. Alexander, his correspondence with Bishop Jebb, i. 226; referred to, 243; his views on justification, 260–263

L

Lancaster, Vice-Chancellorship of Duchy of, conferred on Sir W. P. Wood, i. 81, 82
Laud, Life of Archbishop, by Dean Hook, referred to, ii. 248
Leach, Sir J., Master of the Rolls, referred to, i. 50, 53, 94
Leeds, consecration of Parish Church at, i. 278
Leiningen, Prince of, fellow student at Geneva with W. P. Wood, i. 31, 32
Lindsay, Dr, school of, at Bow, attended by W. P. Wood, i. 6, 7
Liturgy, beauty of the English, i. 245
Locke-King, Mr., his bill for extension of the franchise, i. 82
Lowndes, Mr. W., his merits as a lawyer and a scholar, i. 50
Luther, remarks on, i. 247, 273, ii. 96
Lyndhurst, Lord, referred to, i. 53, 73, 74, 275

M

Macaulay, Lord, Review of Bentham by, i. 183; remarks on his 'History of England,' ii. 144; parody on his 'History' by W. F. Hook, 145

MAD

Maddy, E. D., nephew to Lord Hatherley, ii. 258
Maddy, Rev. H. W., his account of the school at Hatherley, i. 148
Maddy, Maria Elizabeth, sister to Lord Hatherley, i. 2
Manning, Rev. H. E., remarks on sermon by, ii. 85, 86
Martineau, Miss, remarks on, i. 215
Mechanics' Institutes, remarks on, i. 235
Mezzofanti, Cardinal, i. 48, and *note*
Mina, General, an Italian refugee, i. 43
Mitford, Miss, her tragedy of 'Rienzi,' i. 166
Montagu, Mr. Basil, W. P. Wood's friendship with, i. 51, 52; mentioned, 157, 160, 175; death of, ii. 120
Moor, Charlotte, married to W. P. Wood, i. 66
Moor, Rev. Edward, referred to, ii. 250, 256, 257
Moor, Major, father-in-law of W. P. Wood, i. 66, and *note*
More, Hannah, remarks on her correspondence, i. 227

N

National Education, remarks on, i. 303; speeches on, by Sir W. P. Wood, ii. 62, 63, 106
National Society, the, defended by Sir W. P. Wood, i. 77
Newman, J. H., remarks on sermons of, i. 255, 268; views of, on justification, 260–263; secession of, to Rome, 287; extract from sermon by, ii. 276
'*Novum Organum*,' Lord Bacon's, translated by W. P. Wood, i. 52

O

Oaths, Bill to substitute affirmation for, introduced by W. P. Wood, i. 86, ii. 17
Old Bailey, trials at the, i. 18, 19
Oxford, W. P. Wood elected member for city of, i. 74, 75, ii. 4, 80–84; speech to electors at, ii, 42–45

P

Page, Mr. John, grandfather of W. P. Wood, i. 2
Page, William Wood, uncle of W. P. Wood, i. 5
Palmer, Sir Roundell, declines the Lord Chancellorship, ii. 172; made Lord Chancellor, 241; referred to, 244. See also *Selborne*, Lord.
Parliament, Houses of, destroyed by fire, i. 223–225
Peel, Sir Robert, opposes W. P. Wood, i. 80; speech of, on Roman Catholic emancipation, i. 190
Pepe, General, an Italian refugee, i. 43
'*Phædo*,' remarks on the, of Plato, i. 158
Pistorius, remarks on, i. 155
Plato, his definition of justice, i. 253
Poerio, Carlo, an Italian refugee, i. 43
Poerio, Colonel, i. 43
Polemics, the evils of, i. 234
Political Morality, remarks on, ii. 131, 132
Portman, Lord, speech of, on appointment of Sir R. P. Collier, ii. 217, 219
Prayer, remarks on, i. 285, 289, 291

PRE

Preaching, remarks on, i. 233–234
'*Presbyterian Rights*,' Dr. Hook's pamphlet on, i. 270

Q

Queen, Her Majesty the, kindness of, to Lord and Lady Hatherley, ii. 241
Queen's Counsel, Mr. Wood made a, i. 73, 74

R

Railway Bills, W. P. Wood engaged in, i. 62, 64
Ranke, his 'History of the Reformation,' i. 305
Rationalism, remarks on German, ii. 146
Red Cross Street, library in, i. 25
Red House, the, occupied by Lord Hatherley, ii. 250
Reform Bill, the, of 1852, ii. 47, 122
Reform, Parliamentary, advocated by W. P. Wood, i. 77–79; ii. 2, 5, 103; remarks on, 152
Reid, remarks on his psychology, i. 168
Reserve, remarks on the doctrine of, i. 277
Richmond, Mr. G., his portrait of Sir W. P. Wood, ii. 279
Riego, Canon, a Spanish refugee, i. 43
Rienzi, remarks on, i. 166, 167
Romanism, effects of, on character, i. 291; untruthfulness of, ii. 94, 95
Roman Saints, remarks on, ii. 97
Romilly, Sir John, Master of the Rolls, mentioned, i. 83, 84, 85, 91

SPI

Rossi, Signor, his lectures at Geneva, i. 30, 137, 138
Rothschild, the Baron, his admission to Parliament advocated by Sir W. P. Wood, i. 78, ii. 10–16
Roupell, Mr., Master in Chancery, W. P. Wood reads with, i. 45
Russell, Lord John, supports a motion by W. P. Wood, i. 80, ii. 25; resigns and returns to office, i. 82; makes W. P. Wood Solicitor-General, 83, ii. 41; motion of, for the removal of Jewish Disabilities, 9; letters from, 46, 47, 48; remarks on, 117

S

Salisbury, Marquis of, referred to, ii. 206–211; speech of, on appointment of Sir R. P. Collier, ii. 220–222
Selborne, Lord, Judicature Act carried by, ii. 212, 243; speech of, on Lord Hatherley, 264–268; remarks of, on Lord Hatherley, 280-282
Selwyn, Lord Justice, his courtesy to Lord Justice Wood, ii. 60
Shakspeare, an Order in honour of, founded by W. F. Hook and W. P. Wood, i. 16; correspondence about, 124–132; happy quotation from, ii. 208
Shephard v. Bennett, judgment in the case of, ii. 238–240
Socialism, the fallacies of, ii. 75, 118, 119
Society for Propagating the Gospel, speeches for, by Sir W. P. Wood, ii. 61
Spa Fields Riot, the, quelled by Sir Matthew Wood, i. 22, and *note*
Spinoza, remarks on, i. 153

STA

Stamford, petition from borough of, i. 80, ii. 24, 26
Stanhope, Lord, speech of, on appointment of Sir R. P. Collier, ii. 216
Stanley, A. P., Dean of Westminster, his remark on death of Lord Hatherley, ii. 261; his death, 262; verses by, 283
Stephens, Catharine, sister to W. P. Wood, i. 2; letters to, 293–301
Stephens, W. R. W., letter of, on abolition of oaths, ii. 17, 18, *note*; letters to, 165, 257
Stuart, Vice-Chancellor, i. 91, 93
Sunday, the blessedness of, i. 265
Sunday School, on teaching in, i. 231; Lord and Lady Hatherley resign post of teachers in, ii. 250

T

'*Theophrastus*,' remarks on the characters in, i. 163–165
'*Times*,' the, letters of W. P. Wood to, i. 55–61, ii. 33–41; interview with editor of, i. 61; remarks in, upon Lord Hatherley, ii. 273
Tiverton, family of Wood at, i. 4; Blundell's school at, 5
Tract 90, remarks on, i. 276, 279
Tractarians, remarks on the, i. 248, 250
Truro, Lord, offers a Vice-Chancellorship to Sir W. P. Wood, ii. 45
'*Truth* and its Counterfeits,' Lecture on, by Sir W. P. Wood, ii. 64–79
Tyrrell, Mr. J., W. P. Wood reads law with, i. 49; his merits, 50; his book on real property, 50, 152.

U

Utilitarian, effects of the system on the mind, i. 184

V

Villiers, Mr., resolutions of, in House of Commons on Free Trade, ii. 48

W

Wager of Battle, curious case of, i. 19–21
Warburton, remarks on the correspondence of, with Hurd, i. 154, 159; on his 'Divine Legation,' 177, 178, 181, 187
Wellington, observations on the Duke of, i. 65
Westbury, Lord, speech of, on Irish Church Bill, ii. 183; on appointment of Sir R. P. Collier, 222
Westmeath v. Westmeath, case of, i. 53
Westminster, progress of the Church in, i. 98, 99, ii. 33–41; address from inhabitants of, to Lord Hatherley, 180–183; spiritual needs of, 231, 232; charities in, supported by Lord Hatherley, 273; verses by the Dean of, 283
Whig party, remarks on the, ii. 117
Whitbread, Mr. Gordon, friend of Lord Hatherley, referred to, ii. 256, 260–61, 278
Wilberforce, Archdeacon Robert, remarks on his treatise on the Holy Eucharist, ii. 139–143
Wilberforce, Bishop, notice of, ii. 150
Winchester, W. P. Wood educated at, i. 10; rebellion at

12, 13, 106–112; reminiscences of, 267–269
Wiseman, Cardinal, letter of Sir W. P. Wood to, ii. 33–41, 111, 112
Wood, Elizabeth, sister of James Wood of Gloucester, her singular conduct, i. 67, 68
Wood, James, of Gloucester, his wealth, i. 67; his will, *ib.*; his will disputed, 70; long litigation respecting will of, 72, 73
Wood, Henry Evelyn, i. 1, *note*
Wood, Rev. F. J., notices of, ii. 260, 262, 264
Wood, Rev. Sir John Page, elder brother of Lord Hatherley, i. 1
Wood, Sir Matthew, father of Lord Hatherley, i. 1; his early life, 2–4; arrests Sir Francis Burdett, 7, 9; elected M.P. for City of London, 22; rescues three Irishmen from death, 23, 24; quells Spa Fields Riot, 22, 23; twice Lord Mayor of London, 25; befriends Queen Caroline, 33, 35, 40, 41; made an executor and devisee of James Wood of Gloucester, 67, 69; a trustee for the Duke of Kent, 71; provides for the birth of the Princess Victoria in England, *ib.*; made Baronet, *ib.*; builds and maintains school at Hatherley, 147
Wood, Western, younger brother of Lord Hatherley, M.P. for City of London, i. 2, 13
Wood, William Page, his birth and parentage, i. 1–5; educated at Woodbridge, 5; at Bow, 6; at Winchester, 8; joins in rebellion there, 12, 106–112; leaves Winchester for Geneva, 13, 14, 113–115; letters of, from Geneva, 117–138; friendship of, with W. F. Hook, 15; attends trials at the Old Bailey, 18, 19; and wager of battle case, 20, 21; visits Paris, 27; studies at Geneva, 29, 31, 33; returns to England, 33; calls on the Duchess of Kent, 36; goes to Italy, 37; enters Trinity College, Cambridge, 42; connection of, with foreign refugees, 43, 44; takes his degree, 45; enters Lincoln's Inn, 46; elected Fellow of Trinity, 47, 48, 140; visits Italy, 48, 49, 141; reads law with Mr. Tyrrell, 49; friendship of, with Basil Montagu, 51, 52; meets Coleridge, Irving, &c., 52; industry of, 141; makes first speech in Court, 53; letter of, to Lord Goderich, 55–61; maintains a school at Hatherley, 147, 148; practises as parliamentary barrister, 62, 63, 193; marries, 66, 207, 208; abandons parliamentary practice, 73; made a Q.C., 74; becomes a Sunday school teacher, 149; stands for City of Oxford, 75, ii. 1, 2; addresses electors, 2, 3; elected, 4; political principles of, i. 77, ii. 5, 6; first speech in House of Commons, i. 77, ii. 7; opposes abolition of capital punishment, 18, 19; opposes Bill for marriage with a sister-in-law, i. 77, ii. 26–33; advocates admission of Jews to Parliament, i. 78, 79, ii. 9–16; brings in Bill for abolition of oaths, i. 80, ii. 17; advocates repeal of Game Laws, i. 80, ii. 20–23; supports petition from electors of Stamford, i. 80, 81, ii. 24–26; made Vice-Chancellor of Duchy of Lancaster, i. 81; Solicitor-General,

WOO

83, ii. 41, 116; refuses offer of Vice-Chancellorship, i. 86, ii. 45; speech of, on Free Trade, 50–57; made a Vice-Chancellor, i. 86, ii. 57, 132; popularity of his court, 58, 59; comments of Lord Campbell on his judgments, i. 88, 90; sits on various commissions, 96; made a Lord Justice, ii. 60;

WOO

lecture of, on 'Truth and its Counterfeits,' 64–79; book of, on 'Continuity of Holy Scripture,' 79; made Lord Chancellor, 173. See under *Hatherley*, Lord

Woodard, Mr., his schools, ii. 165

Woodfall, death of Miss, ii. 161; sonnet on, *ib.*

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